

UNIVERSITY OF ILLINOIS
LIBRARY

Class	Book	Volume
328.7474	N48s	1911 ³

Mr10-20M



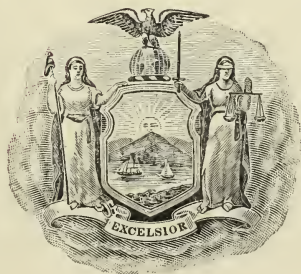
DOCUMENTS
OF THE
SENATE

OF THE
STATE OF NEW YORK

ONE HUNDRED AND THIRTY-FOURTH SESSION

1911.

VOL. III.—No. 10.—PART 1.



ALBANY
J. B. LYON COMPANY, STATE PRINTERS

1911

REPORT
OF THE
PUBLIC SERVICE COMMISSION
FOR THE FIRST DISTRICT
OF THE
STATE OF NEW YORK

For the Year Ending December 31, 1910

Vol. I

Report and Appendices A to E, inclusive

TRANSMITTED TO THE LEGISLATURE JANUARY 12, 1911.

ALBANY
J. B. LYON COMPANY, STATE PRINTERS
1911

227052

STATE OF NEW YORK

No. 10.

IN SENATE

JANUARY 12, 1911.

REPORT OF THE PUBLIC SERVICE COMMISSION FOR THE FIRST DISTRICT.

NEW YORK, January 9, 1911.

Honorable THOMAS F. CONWAY, *Lieutenant-Governor.*

Honorable DANIEL D. FRISBIE, *Speaker of the Assembly.*

SIRS: — The Public Service Commission for the First District of the State of New York herewith transmits to the Legislature its report for the year ending December 31, 1910.

Respectfully,

WILLIAM R. WILLCOX,
Chairman.

WILLIAM McCARROLL,
EDWARD M. BASSETT,
MILO R. MALTBY,
JOHN E. EUSTIS,

Commissioners.



Digitized by the Internet Archive
in 2016 with funding from
University of Illinois Urbana-Champaign Alternates

TABLE OF CONTENTS.

	PAGE
CHAPTER I. SUMMARY	7
Rapid Transit.....	9
Supervision	16
CHAPTER II. ADDITIONAL RAPID TRANSIT.....	33
CHAPTER III. RAPID TRANSIT SUPERVISION AND CONSTRUCTION UNDER WAY AND PREPARATION OF ENGINEERING PLANS.....	82
CHAPTER IV. FORMAL CASES BEFORE THE COMMISSION.....	146
A. Applications for the Approval of Securities.....	146
B. Applications by Companies Other Than as to Securities	157
C. Proceedings upon Complaint.....	160
D. Proceedings on Motion of Commission.....	162
CHAPTER V. SERVICE AND EQUIPMENT.....	170
CHAPTER VI. GAS AND ELECTRIC COMPANIES.....	177

APPENDICES.

A. Franchises of Electrical Corporations in Greater New York.....	193
B. Informal Complaints Concerning Railroads and Streets Railroads and Rapid Transit Construction.....	431
C. Informal Complaints Relating to Gas and Electric Companies.....	537
D. Electricity Rates in New York City.....	571
E. Auditor's Report.....	583

REPORT.

CHAPTER I.

SUMMARY.

NEW YORK CITY, *January 9, 1911.*

To the Honorable, the Legislature of the State of New York:

The Public Service Commission for the First District presents to the Legislature its fourth annual report, covering the year ending December 31, 1910.

During the year the Governor appointed, with the approval of the Senate, Milo R. Maltbie as Commissioner, to succeed himself, for the term of five years, beginning February 1, 1910.

Amendments to Law.—The Legislature in 1910 substantially amended the Public Service Commissions Law and incorporated it as chapter 48 of the Consolidated Laws. So far as the jurisdiction of this Commission is concerned, the amendments related chiefly to strengthening its powers and duties as to gas and electric companies and as to the interchange of transfers between street railroads. The Legislature also consolidated the Railroad Law, with certain amendments, as chapter 49 of the Consolidated Laws. Certain amendments were also made to the Rapid Transit Act, but they made no substantial changes in the law.

Meetings.—The law provides that each Commission shall hold stated meetings at least once a month during the year at its office. Because of the press of work, however, the Commission has regularly held public meetings on Tuesday and Friday of each week, and on such other days as required by the business before it. In all, the Commission has held 134 meetings for the formal consideration of matters. The Commission has continued the practice of holding informal meetings for the preliminary consideration of matters requiring formal action by the Commission, as well as to pass on many matters of detail. There have been 185 such informal meetings.

Proceedings before the Commission (other than those relating to rapid transit).—The Commission has during the year con-

sidered 2,711 matters. Of these 194 were formal cases and 2,517 informal cases. Of the formal cases, 53 remained undetermined at the end of the year. In the formal cases there were during the year 527 hearings, generally held before one Commissioner, as provided by law. The classification of these formal cases is as follows:

Character of case	Number considered	Number open at end of year
Applications for approval of franchise.....	20	7
Applications for approval of stocks, bonds and mortgages..	12	4
Applications for approval of leases and contracts.....	3	0
Applications as to grade crossings.....	13	3
Applications for approval of discontinuance or relocation of stations	7	1
Applications for change of motive power.....	2	1
Applications — miscellaneous	5	1
Cases on complaint	30	13
Cases on motion of the Commission.....	102	23
	194	53

In one case (No. 1174) part of the application was approved and the rest of the application is still pending. In another case (No. 797) the application was denied in toto, but is now pending before the Commission under an order of the Supreme Court in a certiorari proceeding.

Informal Complaints.—Under the amendments and under new rules of procedure, the Commission has increased the handling of complaints as informal cases. Such cases relate chiefly to minor questions of service, the conduct of employees and minor defects in equipment and track. Questions involving such matters as that of the service on an entire division or route continue to be handled as formal cases. During the year, 1988 informal complaints relating to railroads and street railroads have been handled, of which 269 were not determined at the end of the year.

Complaints against gas and electric companies, other than complaints as to meters, numbered 529, of which 9 are undetermined. The total number of gas meters tested during the year was 348,617, of which 4,428 were tested on complaint. Of electric meters 637 were tested, all of which were “complaint” meters.

In addition, the Commission has received 67 complaints relating to telegraph and telephone companies, all of which have been forwarded to the Public Service Commission for the Second District, to which the Legislature at its last session gave jurisdiction over telephone and telegraph companies throughout the state.

RAPID TRANSIT.

As to rapid transit in New York City, the Commission performs the duties and powers prescribed by chapter 4 of the Laws of 1891, as amended, commonly known as the Rapid Transit Act.

Prior to 1909, when important changes were made in the Rapid Transit Law by the Legislature, the requirements of the act were so severe that no operators were willing to consider either independent lines or extensions. The entire rapid transit situation was kept at a standstill by the provisions of the law. The city could not construct with its own money because of the nearness of the debt limit. The constitutional amendment adopted in 1909 and put into operation by act of the Legislature of 1910, made it possible to progress municipal construction.

Under this act there are constructed or under construction the subways now operated by the Interborough Rapid Transit Company, the Centre Street subway and the Brooklyn Fourth Avenue subway. Upon these the city at the end of 1910 had expended \$65,740,437.44. Under Contracts 1 and 2, comprising the subways now in operation, with 25.63 miles of road and 74.18 miles of track, the city has expended \$53,788,134.12. On the Centre Street subway, with 1.55 miles of road and 5.58 miles of track, the contracts for which totaled \$9,094,606, there has so far been expended \$8,064,611.77, and on the Fourth Avenue, with 3.92 miles of road and 17.08 miles of track, for which the contracts total \$15,886,381.20, there has so far been actually paid to contractors \$3,887,691.25.

The Commission has been aware, as expressed in its previous reports, of the extreme importance of additional rapid transit, and has devoted its energies to securing the early commencement of construction of such lines as would best care for the present disgraceful congestion of traffic.

In 1909 the Interborough Rapid Transit Company made two successive propositions for extension of its system, but coupled with such terms that the Commission deemed it essential to refuse to accept the propositions. Informal conferences in the beginning of this year with representatives of the company, looking towards a proposition from the company upon terms that might be acceptable to the Commission, were without result.

Tri-Borough Rapid Transit System.—Prior to this and in addition, as set forth in its previous reports, the Commission determined upon the Tri-Borough Rapid Transit system as the most important development to be undertaken immediately. Briefly described, this comprised the Broadway–Lexington Avenue line, from the Battery, through Church street, Broadway, Irving Place and Lexington avenue to One Hundred and Thirty-eighth street, with a branch through One Hundred and Thirty-eighth street, Southern boulevard, Whitlock avenue and Westchester avenue to Pelham Bay Park and a branch out Mott, River and Jerome avenues to Woodlawn; the Canal street line, from the Manhattan bridge to West street, the Broadway–Lafayette Avenue route in Brooklyn, and two extensions of the Fourth Avenue subway, to Fort Hamilton and to Coney Island. This proposed system, with the Centre Street loop and the Fourth Avenue subway under construction, comprises 47 miles of road and 144 miles of single track, and is estimated to cost to construct about \$120,000,000. The Board of Estimate and Apportionment, which came into office on January 1st, appointed a Transit Committee, consisting of the Mayor, the Comptroller and the President of the Board of Aldermen, with whom the Commission had a number of conferences at which were discussed the important features of the system and the contracts. The Commission made every effort to complete the forms of contracts and plans, increasing its engineering department and requiring night work, so that the plans were finished in July. Public hearings, as required by law, were held on the forms of contracts on May 9th and 16th. As finally determined, the Commission invited bids for the construction, equipment, maintenance and operation of the entire system, with the use of private capital, and, also, bids for the construction only of certain sections with the use of municipal money. Advertising for such bids was begun on September 1st. On Octo-

ber 20th, the date set, no bids were received for construction, equipment, maintenance and operation. On October 27th, bids were received for construction only from twenty-three bidders, who submitted 76 bids on the 21 sections offered. The aggregate of the lowest bids on these various sections was \$85,437,570.11. The two extensions in The Bronx and the Coney Island and Fort Hamilton extensions were not included in the bids for construction only.

These bids were on the basis of unit prices, and it was necessary that very careful consideration should be given to each bid. Before the Commission had fully determined upon the matter, a proposition was received from the Hudson and Manhattan Railroad Company, under date of November 18th, suggesting the construction of the Broadway-Lexington Avenue route from River avenue to the Battery, with (1) an extension running from a point on Church street, between Liberty and Rector streets, under Trinity Churchyard, Wall street, the East river, Montague street, Borough Hall park and Willoughby street to Flatbush Avenue Extension, there to connect with the Fourth Avenue Subway, now under construction; thence over the tracks of that subway to Fulton street and under Fulton street and Lafayette avenue to Broadway; (2) an extension under Broadway from Tenth street to Sixth avenue and Thirty-third street, there to connect with the present subway of the Hudson and Manhattan Company and with its proposed extension to the Grand Central Station; and (3) a connection from Lexington avenue and Forty-second street to the Grand Central station. The estimated cost of constructing and equipping such a system was given as \$150,000,000, of which the Hudson and Manhattan Company offered to furnish \$50,000,000.

Under date of December 5th, the Interborough Rapid Transit Company submitted a proposition offering to construct certain extensions to the present subway, the aggregate cost of which was estimated at \$128,000,000, on condition that the city contribute \$53,000,000 towards this expense. The extensions proposed by the Interborough Company were as follows:

From Times Square, under Seventh avenue, as extended, Varick street, West Broadway and Greenwich street to the Battery, with a branch from the intersection of Greenwich and Liberty streets

under Liberty street, the East river, Pineapple street and Fulton street, to a connection with the Brooklyn terminus of the present subway, and an extension from that point, under Flatbush avenue and Eastern Parkway, to Buffalo avenue, together with an extension under Lafayette avenue, from Flatbush avenue to Broadway.

Also, from Thirty-fifth street and Park avenue, under Park avenue and private property at Forty-second street to Lexington avenue; thence under Lexington avenue and the Harlem river to a point near One Hundred and Thirty-eighth street, from where one branch will be carried to a connection with the West Farms Branch of the present subway and run under Mott avenue, One Hundred and Fifty-third street and River avenue to One Hundred and Fifty-seventh street, with an elevated extension on River avenue, from One Hundred and Fifty-seventh street to One Hundred and Sixty-second street, at which latter point connection will be made with the Jerome Avenue Extension of the Ninth Avenue Elevated road, while a second branch will run under private property, One Hundred and Thirty-eighth street, Southern boulevard and Whitlock avenue to a point in private property south of Westchester avenue, continuing as an elevated road over Whitlock and Westchester avenues to Pelham Bay Park.

Also, an elevated extension from a point at about One Hundred and Seventy-ninth street, on the West Farms Branch, over private property, to a point between Bronx Park and the property of the New York, Westchester and Boston Railway Company; thence north over private property and public streets to Bear Swamp road and White Plains road; thence over White Plains road to a connection with the proposed extension of the Third Avenue Elevated road, at a point north of the intersection of White Plains road and Gun Hill road.

The Commission thus had before it the proposition from the Hudson and Manhattan Railroad Company offering to equip and operate certain portions of the Tri-Borough system after construction by the city, estimated to cost \$100,000,000, and the proposition of the Interborough Rapid Transit Company offering to build extensions that coincided with the Tri-Borough system, with the exception of the portion from Forty-second street south and the Canal street line, for which it substituted Seventh avenue with con-

nection by tunnel to Brooklyn. Broadway, Brooklyn, also was not included, but it offered an extension out Flatbush avenue and Eastern Parkway to Buffalo avenue. In connection with this should be considered the proposition as to the Steinway Tunnel, under which it is understood that the company will complete the tunnel for actual cost of additional work necessary, estimated to be about \$1,500,000, and operate under the terms of Contract No. 1. For these extensions, estimated to cost \$128,000,000, the city was to pay \$53,000,000.

The Hudson and Manhattan Company had placed December 15th as the time limit to the acceptance of its offer, and on that date sent to the Commission a communication which in substance withdrew the offer.

As the Rapid Transit Act requires the approval of the Board of Estimate and Apportionment to all formal actions as to such matters, the Commission on December 20th sent a communication to that board stating that in its judgment the Interborough proposition should be accepted, provided certain features not then satisfactory could be properly adjusted. The communication stated further:

“The Commission will press the present negotiations with the Interborough Company to a conclusion and embody them in contracts and plans as rapidly as possible unless your Honorable Board should consider the proposition as generally outlined open to objections which would render your consent impossible when the forms of contracts are finally submitted. * * * If the present propositions are disapproved, the contracts for the construction of the Tri-Borough System, which are now awaiting award, can promptly be acted upon and construction work immediately begun.”

Previous to this time, the Interborough Company had, under date of June 10th, asked that the Commission grant certificates allowing the third-tracking of the Second, Third and Ninth Avenue elevated lines and the extension of the Ninth Avenue elevated line across the Harlem river and up Jerome avenue to One Hundred Ninety-fourth street. After numerous conferences with representatives of the Interborough Company, draft forms of certificates were prepared and the public hearing required by law was held on December 23d. The details of these certificates are now being considered by the Commission and will be acted on early in the coming year.

During the year a number of conferences were held with representatives of the Brooklyn Rapid Transit Company, looking towards the use by that system of the Centre Street loop from the Williamsburg bridge.

On December 19th, certain companies in the Brooklyn Rapid Transit system made application for the use of the loop, offering the following terms:

The city to provide the subway complete for use of elevated trains including stations, signals and other appliances; to make connection for trains between the subway and the Williamsburg bridge and to provide four terminal tracks at Chambers street; to connect easterly tracks of subway with Williamsburg bridge to permit surface car operation between the bridge and Canal street through the subway.

That the city make a contract with the companies for the operation and maintenance of the subway for twenty years, with option of renewal for twenty years; that the companies' rights to operate over the bridges be extended for the life of the contract on present terms; that fare charged in subway shall not exceed the rate lawfully chargeable by the companies for a continuous ride on existing lines.

The companies to pay for the operating lease as follows: First year, \$45,000; second year, \$70,000; third year, \$90,000; fourth year, \$115,000; fifth year, \$135,000; sixth year, \$215,000; seventh year, \$230,000; eighth year, \$240,000; ninth year, \$250,000; tenth year, \$260,000; and thereafter \$275,000 a year.

If connection is made with the Brooklyn bridge, the rental will be larger, beginning with \$45,000 for the first year, and reaching \$350,000 in the tenth year and \$375,000 thereafter.

On the same date, the Manhattan Bridge Three-Cent line also applied for the use of this loop by trolley cars.

Contracts Nos. 1 and 2.—During the year considerable additional work has been done on the present subway, which was constructed and is being operated under the terms and conditions of Contracts Nos. 1 and 2. As pointed out last year, a new station is being constructed at One Hundred and Ninety-first street and St. Nicholas avenue, at a cost of \$380,000, and additional elevators at the One Hundred and Eighty-first street and St. Nicholas

Avenue station, costing \$150,000. The terminal station at One Hundred and Eighty-first street (Zoological park) and the station at Intervale avenue have been completed. In addition, \$1,500,000 is being expended in lengthening station platforms so as to increase the length of express trains from eight to ten cars and of local trains from five to six cars, and \$500,000 is being expended in constructing the additional entrances and exits which will be necessary because of the increased length of stations. This improvement will allow nearly 25 per cent increase in train capacity. Under orders from the Commission, the Interborough Rapid Transit Company has been installing side doors in cars used in subway express service. At the end of the year there were 699 cars so equipped, which makes possible to have in operation 70 ten-car trains entirely equipped with side doors. This facility will make possible the cutting down of the train interval by about ten seconds, which will allow an 8 per cent increase in the number of trains per hour during the rush periods.

In the matter of arbitration under Contract No. 1, where claims amounting to more than \$6,000,000 were presented by the Interborough Rapid Transit Company, and counter-claims amounting to more than \$2,000,000 were presented by the Commission, very substantial progress has been made. A number of hearings were held before arbitrators appointed in accordance with the terms of Contract No. 1, but it was seen that the submission in a formal way of all the evidence relating to the various claims might consume too long a time, and, accordingly, representatives of the company and of the Commission held continuous conferences for eight days during the month of August, with the result that it was agreed that the company should receive \$1,684,109.23. This has been formally approved by the company, and the Commission has submitted the matter to the Board of Estimate and Apportionment, which, if it approves, will make an appropriation to pay the final award. The Commission regards this as a satisfactory settlement of these involved claims. Under the terms of the protocol under which the conferences were held, it was understood that whatever may be paid to the Interborough Company will be expended by it for additional facilities.

Centre Street Loop.—The Loop line on Delancey and Centre streets, so far as construction work is concerned, has been completed, with the exception of section 9-O-1, which comprises the terminal station for the loop. Work on this section was interrupted in May, 1908, at the request of the Mayor of the city, in order to allow the placing of foundations for the municipal building, which is to be constructed directly over this station. Because of the cessation of this work, the claims for damages and extras by the contractor, the necessary change of plans due to the municipal building and the importance of an early completion of this section, the Commission in the month of September agreed with the contractor upon the sum of \$1,425,635.62 in settlement of all his claims and for the completion of the work. This was submitted to the Board of Estimate and Apportionment for its approval, but that board has not yet finally acted on the matter.

Fourth Avenue Subway.—The six contracts for the construction of the Fourth Avenue Subway, from the Brooklyn end of the Manhattan bridge to Forty-third street and Fourth avenue, were executed in November, 1909, and the work was started before the end of the year. During the year 1910, substantially 30 per cent of the construction work has been done. By the terms of the contracts, the work must be completed within twenty-four months, that is, by November, 1911.

SUPERVISION.

Companies under the Jurisdiction of the Commission.—The Commission has general jurisdiction over railroads and street railroads and gas and electrical companies within the City of New York. In all, the following number of companies have been organized for the purpose of carrying on such public service within the city:

	Number organized	Number now operating
Railroads	240	6
Street railroads	386	36
Tunnel railroads	70	..
Gas	199	21
Electric	142	12
Total	1037	75

The total gross capitalization of street railways (see note) is	\$733,635,000
The total gross capitalization of steam railroads (Staten Island) is.....	12,700,000
The total gross capitalization of gas companies is.....	210,883,000
The total gross capitalization of electric (including electrical subway) companies is.....	163,216,000
The total gross capitalization of gas-electric companies is...	5,424,000

Grand total \$1,125,858,000

The following tables show the amount of business done by the various classes of corporations during the years indicated:

STREET AND ELECTRIC RAILWAYS.

	Year ending June 30, 1907	Year ending June 30, 1908	Year ending June 30, 1909	Year ending June 30, *1910
Operating companies.....	28	29	33	34
Miles of track.....	1,529	1,543	1,561	1,564
Passenger car miles.....	251,022,301	271,924,024	270,394,665	280,153,150
Passengers (paid fares)	1,315,381,388	1,358,000,407	1,402,417,642	1,529,421,244
Daily average.....	3,603,785	3,710,384	3,842,240	4,190,195
Transfers	364,475,328	359,827,602	314,340,221	327,410,218
Transportation revenue	\$65,664,826	\$67,579,182	\$69,979,963	\$76,360,952
Total street railway operating revenue.....	67,133,646	69,026,613	72,282,014	79,420,911
Total street railway operating expenses.....	36,596,613	42,348,236	42,778,270	43,451,147
Net revenue.....	30,537,033	26,678,377	29,503,744	35,969,764
Taxes	3,368,247	4,340,228	4,992,677	5,254,037
Operating income....	26,894,407	22,479,524	25,216,280	30,715,727
Nonoperating income.....	1,947,417	1,573,225	1,246,220	2,036,694
Gross income applicable to corporate and leased properties	28,841,824	24,052,749	26,462,580	32,752,421
Operating ratio.....	54.51%	61.35%	59.18%	54.71%
Per car mile:				
Operating revenue	26.46 cts.	25.31 cts.	26.67 cts.	27.88 cts.
Operating expenses	14.43	15.52	15.78	15.25
Net revenue.....	12.03	9.79	10.89	12.63

GAS AND ELECTRICAL COMPANIES OF NEW YORK CITY.

	Year ending June 30, 1907	Year ending December 31, 1908	Year ending December 31, 1909
Number of companies(a).....	24	26	26
24 hour production capacity of gas plants M. cu. ft.....	186,925	227,828	226,728
Gas sold, M. cu. ft.....	38,498,317	42,295,531	44,321,542
Average per day, M. cu. ft.....	105,475	115,878	121,429
Intercompany sales (included in "Gas sold"), M. cu. ft.....	5,780,799	8,051,810	7,674,931
Capacity of generating stations, kw..	155,125	216,285	224,317
Electricity sold, kw. hrs.....	\$274,727,245	342,832,520	361,920,873
Average per day, kw. hrs.....	752,677	939,267	991,564
Intercompany sales (included in "Electricity sold"), kw.-hrs.....	23,296,995	39,059,491	38,616,804
Operating revenues, gas.....	\$30,963,763	\$33,130,672	\$34,951,737

NOTE.—Owing to intercompany holdings, certain securities are virtually duplicated, but these figures purport to give only the amount of securities issued and not formally retired.

*Provisional figures, subject to correction.

(a) Includes Richmond Light and Railroad Company.

§ Includes amount used by companies.

GAS AND ELECTRICAL COMPANIES OF NEW YORK CITY — *Concluded.*

	Year ending June 30, 1907	Year ending December 31, 1908	Year ending December 31, 1909
Operating revenues, gas — <i>Continued.</i>			
From sales to other gas companies “(included in “Operating revenues, gas”)	\$1,493,544	\$3,181,227	\$3,199,472
Operating revenues, electrical	19,598,137	21,922,806	23,642,816
From sales to other electrical com- panies (included in “Operating revenues, electrical”	331,591	522,717	563,826
Operating expenses, gas	24,146,807	25,889,692	24,880,456
Operating expenses, electrical	11,358,599	12,144,267	13,334,566
Operating ratio, gas	77.98%	78.14%	71.19%
Operating ratio, electrical	57.96%	55.40%	56.40%

Applications as to Securities.—The most involved case as to the issuance of securities has been the application of the Bondholders' Committee of the Third Avenue Railroad Company. As set forth in the annual report of last year, this committee made an application asking the approval of securities totaling \$68,516,800, which, after careful consideration, the Commission denied. The same Bondholders' Committee, on December 2, 1909, made another application asking for the approval of \$54,916,000 of securities, which has also been denied by the Commission. A rehearing was asked for by the committee, which was granted, but no evidence was presented sufficient to induce the Commission to change its determination. On December 29, 1910, the Commission was served with a writ of certiorari for the review of the proceedings.

On December 30, 1910, the Bondholders' Committee of the Metropolitan system filed an application for the approval of \$64,851,500 of securities.

TOTAL APPLICATIONS, July 1, 1907 — Dec. 31, 1910.

Total amount of securities applied for	\$361,138,940
Amount approved by the Commission	82,459,400
Amount disapproved by the Commission	208,829,300
Amount withdrawn by the petitioners	390,000
Amount pending December 31, 1910	69,461,240

The amount pending includes \$64,851,500 applied for by the Metropolitan Bondholders' Committee, \$109,740 applied for by the Coney Island and Brooklyn Railroad Company, \$2,500,000 applied for by the Kings County Electric Light and Power Company, and \$2,000,000 applied for by the New York and Queens

NOTE.—The foregoing figures involve a duplication of \$54,916,000, representing the second application of the Third Avenue Railroad Bondholders' Committee, which was made a separate case, and exclude the authorization of an issue of \$500,000 notes by the Coney Island and Brooklyn Railroad Company, which were to be secured by bonds previously authorized by the Commission.

Electric Light and Power Company. The last mentioned application was made July 30, 1907. While it has not been pressed, it has never been withdrawn.

Elimination and Protection of Grade Crossings.—There have been 32 cases involving grade crossings in New York City. Of these cases, 12 were on motion of the Commission for the elimination of 27 grade crossings; 4 on motion of the Commission for additional safety precautions at 28 grade crossings; 2 on motion of the Commission to restrict the operation by the New York Central and Hudson River Railroad Company of freight trains over the numerous crossings on Eleventh avenue, Manhattan; 1 upon complaint for additional protection of 1 grade crossing; 1 upon application of a company for the elimination of grade crossings which were already covered by a proceeding determined by the Commission; 1 upon application of a company for eliminating 1 grade crossing by discontinuing it; 9 upon application of the City of New York to determine the manner of opening of new streets across railroads, embracing 11 grade crossings, and 2 upon application of railroads to cross existing railroads, embracing 2 grade crossings.

The total number of grade crossings on steam railroads in the City of New York is 494; of these, 433 are the crossings of public streets across steam railroads and 61 are private roads across steam railroads. They are divided by boroughs as follows:

	Public	Private	Total
Manhattan	103	..	103
Brooklyn	57	2	59
Bronx	6	..	6
Queens	182	25	207
Richmond	85	34	119
	<u>433</u>	<u>61</u>	<u>494</u>

By railroads they are grouped as follows:

MANHATTAN		BRONX	
N. Y. C. & H. R. R. R.	98	N. Y. C. & H. R. R. R.	5
Baltimore & Ohio	1	N. Y., N. H. & H. R. R.	1
Lehigh Valley	1		
Erie	1	Total	6
Pennsylvania	2		
Total	<u>103</u>		

BROOKLYN		QUEENS	
Long Island	41	Long Island	182
East River Terminal.....	12		
N. Y. Dock.....	4	Total	182
Total	57		
RICHMOND			
S. I. Ry.....	43		
S. I. R. T.....	42		
Total	85		

In the matter of protection, the 433 public crossings and 61 private crossings are grouped as follows:

PUBLIC CROSSINGS		PRIVATE CROSSINGS	
Protected by gates and flagmen.	161	Protected by farm gates	12
Protected by flagmen only	71	Protected by bells	2
Protected by bells only	47	Protected by signs	32
Protected by bells and sema- phores	3	No protection	15
Unprotected except by sign....	151	Total	61
Total	433		

The number of accidents at such grade crossings during the years 1908, 1909 and 1910 are as follows:

	KILLED OR INJURED			
	1908 K. I.	1909 K. I.	1910 K. I.	Total K. I.
N. Y. C. & H. R. R. Co.....	0 11	1 5	1 2	2 18
N. Y., N. H. & H. R. R.	0 0	0 0	0 0	0 0
L. I. R. R. Co.....	15 13	12 10	13 19	40 42
S. I. R. T. Ry. Co.....	0 2	3 4	1 5	4 11
S. I. Ry. Co.....	1 0	1 0	0 4	2 4
B. R. T.	5 15	6 16	1 2	12 33
	21 41	23 35	16 32	60 108

The Public Service Commission for the First District has under way at the present time proceedings for the elimination of 20 grade crossings in the Borough of Queens. The proceedings as to nine of these, located in Flushing, Borough of Queens, will cost \$1,100,000. Formal determination as to these locations was made on December 31. To meet this cost there is an appropriation, made by the Legislature last year, for use in Queens County, of \$200,000. The city will appropriate an additional \$200,000. The Long Island Railroad Company has agreed to bear the remaining cost of that elimination estimated at \$700,000. The remaining Queens proceedings before the Commission involve the

elimination of crossings, the estimated cost of which will be about \$3,000,000. To meet the state's share of this expense, no appropriation has been made, but the Commission has requested an appropriation by the coming Legislature of \$400,000 for use in Queens County.

The Commission has under way at the present time proceedings for the elimination of seven grade crossings in the Borough of Richmond. The estimated cost of eliminating five of these is \$200,000. The last session of the Legislature appropriated \$50,000 for use in Richmond and all of this will be necessary for the elimination of these five grade crossings. The city is to appropriate \$50,000 as its share. The Commission has asked the next session of the Legislature to appropriate \$50,000 for Richmond, to be used towards the elimination of further grade crossings in that borough.

The Commission is also asking for an appropriation from the next Legislature of \$50,000 for use in the elimination of grade crossings in Kings County, Borough of Brooklyn, and \$100,000 for the elimination of grade crossings in Manhattan and The Bronx.

Although there are over four hundred grade crossings in New York City, up to 1910 only \$9,000 of state appropriation had been used in the city on elimination of grade crossings. In 1910 the Legislature appropriated \$250,000 and for 1911 this Commission has requested, as stated above, \$600,000. This amount is not for administrative expenses but to help pay the cost of a substantial start in elimination in New York City of the grade crossings of steam railroads, at which in three years 60 were killed and 108 injured. As the Railroad Law provides that 25 per cent of the cost is a state expense no elimination can be commenced without a state appropriation.

Equipment and Service.—The Commission has continued to require the companies to keep their equipment in good, sanitary and operating condition. The proper condition of equipment has a close relation to the number of accidents of certain classes. At the end of the year all of the cars operated on the surface lines in the City of New York were equipped with fenders and wheel-

NOTE.—In addition, on New York Central tracks south of 60th street, Manhattan, in the three years 15 were killed and 49 seriously injured.

guards, of types approved by the Commission. Investigations by the inspectors of the Commission show that these improved safety devices have aided in the substantial reduction of fatal accidents. The following table shows a comparison of accidents during three years:

	1908	1909	*1910
Total number of accidents on street, "L" and sub-way	56,481	52,808	59,515
Number of persons killed	444	329	§379
Number of persons and vehicles struck by cars.	11,405	11,447	14,484

The question of service remains a serious one, for it is not possible to secure adequate service, particularly during the rush periods, with the present facilities. The efforts of the Commission to secure additional rapid transit facilities are set forth elsewhere. The following tables show the magnitude of the problem confronting the public authorities in the furnishing of proper facilities for the travel that presents itself in New York City:

EAST RIVER TRAVEL ON A TYPICAL DAY.

To New York	405,951	443,754	490,965
To Long Island	407,711	438,557	487,596
Total	813,662	882,311	978,561

DETAIL STATEMENT OF ABOVE.

Brooklyn bridge	309,783	327,899	342,909
Williamsburg bridge	182,233	213,487	242,251
Queensboro bridge . . . . .	.....	26,300	44,329
Ferries	†175,749	120,841	119,423
Manhattan bridge . . . . .	.....	.....	8,114
Pennsylvania tunnel . . . . .	.....	.....	11,396
Subway	159,708	193,784	210,139
Total	813,662	882,311	978,561

GROWTH OF STREET RAILWAY TRAVEL IN NEW YORK CITY SINCE 1898.

Year	Population	Fare passengers	Rides per capita
1898	3,251,244	741,329,885	228.0
1899	3,344,223	773,351,232	231.2
1900	3,437,202	846,353,058	246.2
1901	3,549,843	881,344,801	248.2
1902	3,662,483	938,989,964	256.3
1903	3,775,123	1,000,767,483	265.0
1904	3,887,763	1,065,984,910	274.1
1905	4,000,403	1,130,982,696	282.7
1906	4,153,699	1,251,841,175	301.3
1907	4,306,995	1,315,381,388	305.4
1908	4,460,291	1,358,000,407	304.4
1909	4,613,587	1,402,417,642	303.9
1910	4,766,883	1,530,000,000	320.9

NOTE.—The figures on the Metropolitan Street Railway Company show nearly 400 per month increase for the last four months due to including vehicles struck in which no injuries were claimed. Other companies have reported in this manner for the past two years, but not the Metropolitan Street Railway Company.

* Estimated in part for December, 1910.

§ This figure includes 12 killed in New York Central explosion at sub-station.

† Includes New York and College Point Ferry and New York and East River Ferry:

To New York	6.598
To Long Island	6.853
	13.811

An interesting feature in the above statistics is the rapid increase in the number of rides per capita, which shows that street railway travel is increasing much more rapidly than population. In 1898 there was an average of 228 rides for each man, woman and child. In 1910 the number of rides per capita had increased to 320. There has been a constant increase in the number of rides per capita ever since the introduction of street railway transportation in New York City. Statistics prepared by Frank R. Ford (see *Street Railway Journal*, October 5, 1901) show that in the territory now occupied by the Boroughs of Manhattan, Brooklyn, The Bronx and Queens, there were 45 rides per capita per year in 1860, 104 in 1870 and 155 in 1880. These statistics are based on number of passengers, including transfers, while the statistics given above are based on fare passengers only. The number of transfers was, however, small in early years, and the statistics indicate clearly the enormous development of street railway travel and its increasing importance to each individual. If children under five years of age are excluded from our population figures, as they are not included in the travel statistics since fares are not charged for them, the number of rides per capita is now approximately equal to one ride each day in the year for each person. It should be noted that the above statistics do not include travel upon the ferries over the North and East rivers and to Richmond, nor the large suburban traffic of the Long Island, New York Central and New Haven railroads.

Unused Track.—Owing to the consolidation of companies and changes in population and conditions, a considerable amount of car tracks has for many years been unused by the operating street railroads. In the Borough of Manhattan there are about 25 miles of such unused track.

Early in 1908 detailed information was gathered and the matter taken up with the Attorney-General, who is by law charged with the duty of bringing actions to secure the forfeiture of unused franchises. Two actions were started by the Attorney-General as test suits, to settle certain disputed questions of law, and to clear the way for a general campaign for the removal of abandoned track through court action.

The suit against the Forty-second Street, Manhattanville and St. Nicholas Avenue Railway Company and its receiver, for the

removal of abandoned tracks on Eighty-sixth street, Pleasant avenue, One Hundred and Ninth street and Twelfth avenue, and for the forfeiture of certain unused franchise rights, resulted in an agreement by the company to remove the tracks in question and to restore the pavement to its original condition.

The action begun against the Bleecker Street and Fulton Ferry Railroad Company to secure the removal of tracks on Ann street, Beekman street, Fulton street, Peck slip, Crosby street, Howard street, and various other streets in the lower part of Manhattan, was removed by the company to the Federal Court upon the ground that the company's lines were in the hands of a Federal receiver. Upon motion of the Attorney-General, the case was remanded to the State Court and the company interposed a demurrer to the complaint. The demurrer was overruled and judgment entered in favor of the state. An appeal to the Appellate Division was decided in favor of the state in the fall of 1910, the company securing permission to withdraw its demurrer and interpose an answer upon payment of costs.

The Commission has been actively engaged in collecting evidence for presentation in these suits and in others proposed, and to that end has caused a thorough inspection to be made of the whole abandoned trackage in the city, and has taken some 800 photographs, showing in graphic form the exact situation upon the streets involved. The evidence secured has been reduced to affidavit form and is in shape for prompt use. The Commission has further made a complete study of the franchise situation upon streets containing abandoned track and has from time to time sent exhaustive reports to the Attorney-General for use in drafting his pleadings. Much evidence has been secured from property owners and by a thorough examination of official records in various city and state departments.

The Commission has, through its own negotiation, been able to secure a stipulation on the part of the Second Avenue Railroad Company that it would remove its abandoned track on First avenue, from Fourteenth street south to Allen street, on Allen street from First avenue south to Grand street, on Pearl street from New Bowery to Peck slip, and on Peck slip from Pearl street to South street, making in all a total of some 7,153 feet. The com-

pany has also agreed to give up its franchise on Oliver street, from Chatham square to South street, and to remove the track, 1,529 feet, when requested by the city authorities.

The Commission is now considering a proposition submitted by Adrian H. Joline and Douglas Robinson, receivers of the Metropolitan Street Railway Company, to remove abandoned tracks of the Metropolitan Street Railway Company, and of the Broadway and Seventh Avenue Railroad Company.

The abandoned track situation is well in hand and the speedy removal of all abandoned tracks is confidently expected. This is particularly important, for the unused tracks present unnecessary obstructions and causes of damage to vehicular traffic.

Litigation.—During the year counsel to the Commission has been in several cases before the courts. Of special interest are Willcox v. Richmond Light and Railroad Company and Willcox v. Staten Island Midland Railway Company to compel the establishment of transfers.

In November, 1909, the Commission, under section 57 of the Public Service Commissions Law, applied to the Supreme Court for a writ of mandamus directed to the Richmond Light and Railroad Company and to the Staten Island Midland Railway Company, for the purpose of compelling these street surface railroad companies to exchange transfers at three points where the lines of the two companies intersect within the limits of the former village of New Brighton.

At the trial before Mr. Justice Lester W. Clark on December 1, 1909, it was urged by the Commission that at all three points transfers should be given because of conditions contained in the franchises which the two companies had obtained from the village of New Brighton before consolidation. As to the two points on Castleton avenue it was also urged that as the two companies, by virtue of a trackage agreement, operated over one set of tracks on Castleton avenue, between Broadway and Columbia street, transfers should be given under the provisions of section 104 of the Railroad Law.

On July 16, 1910, an opinion was filed in favor of the Commission, on the ground that the franchises of the companies required

transfers at all three points, and an appeal was taken by the company from the order entered.

On November 15, 1910, the appeal was argued before the Appellate Division for the Second Department and a decision rendered on December 30, 1910, sustaining, on the opinion below, the order made at Special Term.

Other actions and proceedings begun or continued during the year ending December 31, 1910:

People v. Whitridge, as Receiver of the Union Railway Company, Supreme Court, New York County.—Action was begun January 11, 1910, for penalty for failure to comply with order of Commission requiring receiver to equip all cars of the Union Railway Company with wheelguards of a type approved by the Commission. Case was tried May 9th, 10th and 11th, before Mr. Justice Brady and a jury, and, upon the close of the plaintiff's case, complaint was dismissed. The court directed that exceptions should be heard in the first instance by the Appellate Division. The Commission then moved, at Special Term, to have the proceedings at the trial declared a nullity, on the ground that Mr. Justice Brady, being a stockholder in the Third Avenue Railroad Company, which owned all the stock of the Union Railway Company, was disqualified. Motion was denied and appeal was taken from order denying the motion. This appeal and also the motion for a new trial on the exceptions will be heard before the Appellate Division.

People ex rel. Staten Island Midland Railway Company v. Willcox; People ex rel. Richmond Light & Railroad Company v. Willcox.—These were certiorari proceedings in Supreme Court, New York County, to review an order of the Commission directing the two street surface railroad companies to exchange transfers at three points where their lines of railroad intersected within the limits of the former village of New Brighton, Staten Island. The writs were served January 6, 1910, and returns thereto were prepared but relators failed to pay the fees prescribed by law and the returns were never filed.

People ex rel. Frank Blair v. Willcox, Supreme Court, New York County.—This was a proceeding by a suspended employee

for reinstatement. An alternative writ of mandamus was served October 7, 1910, and return was filed October 27, 1910. The case has not been brought to trial.

People v. Staten Island Midland Railway Company.—Two actions were brought by the Commission in Supreme Court, New York County, one for penalties due to the company's failure to file a monthly report, the other for a penalty due to failure to file the annual report for 1909. The actions were begun January 22, 1910, and were discontinued March 10, 1910, after the reports had been filed.

People v. Kingsbridge Railway Company, Supreme Court, New York County.—This was an action for penalty for failure to file a monthly report. Action was begun January 25, 1910, but was not pressed, the report having been filed.

People v. Bush Terminal Railroad Company, Supreme Court, New York County.—Two actions were begun February 19, 1910, for penalties for failure to file monthly reports. The actions were discontinued March 31, 1910.

Matter of the Petition of the Public Service Commission for a Writ of Mandamus Directed to the Metropolitan Street Railway Company and to Adrian H. Joline and Douglas Robinson, Its Receivers.—On January 10, 1910, an order was obtained directed to the Metropolitan Street Railway Company and its receivers, directing them to show cause why a writ of mandamus should not issue compelling the railway company and its receivers to allow the Commission's duly authorized inspectors to enter the car barns for purposes of inspecting cars. Answer was made on January 31, 1910. The cause was not moved for trial, as the Commission's inspectors were permitted to enter the car barns for the purposes desired.

People ex rel. Joline and Robinson, as Receivers of the Metropolitan Street Railway Company, v. Willcox.—In 1908 the Commission made an order directed to the receivers of the Metropolitan Street Railway Company and to the Central Park, North & East River Railroad Company, requiring, for a stated period of four months, a through route and joint rate between certain points of these lines. A writ of certiorari was obtained and motion to vacate same was denied (194 N. Y. 383). In June, 1909, the

Commission filed return to this writ. A motion, made at Special Term, by relators to correct return, was denied. On appeal the Appellate Division reversed the order of the Special Term (134 A. D. 563). The Commission obtained leave to appeal to the Court of Appeals and the Court of Appeals reversed the decision of the Appellate Division and affirmed the order of the Special Term (198 N. Y. 433).

People ex rel. New York, New Haven & Hartford Railroad Company v. Willcox (138 A. D. 330).—June 8, 1909, the relator obtained a writ of certiorari to review an order of the Commission, made after hearing on complaint, directing the company to make certain changes in its equipment and in its manner of loading and unloading manure cars at its yard along the Harlem river near One Hundred and Thirty-second street. In May, 1910, argument was had before the Appellate Division for the First Department, and the court held that the order of the Commission was within its jurisdiction and was fully supported by the evidence introduced at the hearing; also, that the authority of the Commission is not confined to orders which promote the security or convenience of the traveling public but may extend to the protection of the general public. The fact that the board of health had power to abate a nuisance did not prevent the Commission from acting. Appeal taken by the railroad company was argued in the Court of Appeals November 15, 1910. No decision has been rendered.

People ex rel. Third Avenue Railroad Company and others v. Public Service Commission, Supreme Court, New York County.—December 28, 1910, the Third Avenue Railroad Company and the bondholders' committee obtained a writ of certiorari to review an order made by the Commission September 16, 1910, denying application of relators, verified December 2, 1909, praying for the approval of a certain plan for the reorganization of the Third Avenue Railroad Company.

People v. Interborough Rapid Transit Company, Supreme Court, New York County.—Action for penalty for violation of an order of the Commission. Complaint alleges operation on the subway of fewer cars than required to give adequate service in non-rush hours. Summons and complaint was served December 30, 1910.

Court Decisions.—There follows a list of decisions made by the courts during the year upon questions relating to the jurisdiction of the Commission:

Matter of New York Central & Hudson River Railroad Co., 136 A. D. 760.—Crossings in Ossining. Constitutionality of sections 62–66 of Railroad Law.

People ex rel. Long Acre Electric Light & Power Co. v. Commission, 137 A. D. 810.—Certiorari to review determination of Commission denying application for approval of bond issue. (199 N. Y. 254. Appeal from Appellate Division dismissed on ground that order of Appellate Division was not a final order.)

Long Island R. R. Co. v. City of New York, 199 N. Y. 288.—Re perpetual easement to strip used for railroad purposes on Atlantic avenue.

People v. Bleecker Street & Fulton Ferry Railroad Co. et al., 67 Misc. 577.—Action to annul franchise. After action had been begun in Supreme Court, defendants petitioned for the removal of the cause to the Circuit Court, on ground that defendants Joline and Robinson had been appointed receivers by the Federal Court, and request was granted. Attorney-General moved to remand to the Supreme Court, and motion was granted. 178 Fed. 156; 140 A. D. 611, affirming 67 Misc. 577.

City of New York v. New York City Ry. Co., 138 A. D. 131.—Action for penalties for failure to pay license fee.

People ex rel. Joline and Robinson v. Willcox et al., 198 N. Y. 433 (reversing 134 A. D. 563).—Certiorari to review determination of Commission directing establishment of through routes and joint rates. (Appeal from order of Appellate Division reversing order of Special Term denying motion to compel defendants to correct return to writ of certiorari.)

New York Central & Hudson River R. R. Co. v. Williams, 199 N. Y. 108.—Payment of salaries of railroad employees semi-monthly.

Matter of City of New York, 139 A. D. 40.—Application for determination of amount of indebtedness incurred prior to January 1, 1910, for Manhattan–Bronx Rapid Transit R. R. Co.

Sweet Mfg. Co. v. Van Der Hoof, 137 A. D. 492.—Unconstitutionality of section 20 of Railroad Law.

Staten Island Rapid Transit Ry. Co. v. Marshall, 136 A. D. 571.—Action for demurrage for cars detained at Cranford, N. J.

N. Y. Telephone Co. v. Siegel-Cooper Co., 137 A. D. 158.—Legality of allowing discounts from regular telephone rates to municipalities, charitable institutions and clergymen.

Geneva-Seneca Electric Company v. Economic Power & Construction Co. and City of Geneva, 136 A. D. 219.—Application for injunction to restrain Economic Power & Construction Co. from furnishing electric current to city of Geneva or its inhabitants, and to restrain city from aiding or affording to company facilities to permit it to use streets, etc.

Gerken et ano. v. Interborough Rapid Transit Co. et al., 68 Misc. 389.—Action for damages to property.

Rasch v. Nassau Electric R. R. Co., 198 N. Y. 385.—Action for damages to property.

City of New York v. Pelham Park Railroad Co., 68 Misc. 205.—Liability of company to percentage payment upon annexation.

People ex rel. Wheeler v. City of New York, 137 A. D. 894 (affirming, without opinion, 62 Misc. 37).—Reported: Matter of Wheeler. Application for mandamus directing city to operate ferries.

Wurster et al. v. City of New York, 136 A. D. 408.—Application for injunction restraining city *et al.* from discontinuing five ferries running between New York and Brooklyn.

People ex rel. Abraham et al. v. Perley et al., 67 Misc. 471.—Certiorari to review determination of Board of Tax Commissioners in assessing as special franchise the right to maintain a tunnel between their buildings.

City of New York v. Montague as Receiver of Fulton St. Railroad Co., 68 Misc. 176.—Action to compel removal of tracks.

Shelley v. Westchester Lighting Co., 139 A. D. 690.—Action to recover penalty for failure to furnish gas.

Matter of New York, New Haven & Hartford Railroad Co. Crossings in White Plains, 136 A. D. 756.—Appeal from determination of Second District Commission directing elimination of grade crossings.

Omaha & Council Bluffs Street Ry. Co. v. Interstate Commerce Commission, 179 Fed. 243.—Application for injunction re-

straining Interstate Commerce Commission from enforcing order as to rates.

People v. Erie Railroad Co., 198 N. Y. 369.—Hours of labor of block system telegraph and telephone operators.

Pennsylvania Steel Co. v. New York City Railway Co., 176 Fed. 471.—Suit as to receivership.

Barber Asphalt Paving Co. v. Forty-second Street, Manhattanville & St. Nicholas Avenue Railway Co. et al., 180 Fed. 648.

People v. New York Central & Hudson River Railroad Co., 199 N. Y. 539 (affirming, without opinion, 138 A. D. 601).—Submission of controversy pursuant to section 1279 of Code of Civil Procedure: Are equipment trust certificates in nature of stocks, bonds, etc., within meaning of section 55 of Public Service Commissions Law.

Rothman v. Interborough Rapid Transit Company, 66 Misc. 378.—Action to recover damages for trespass.

Hasbrouck v. New York Central & Hudson River Railroad Co., 137 A. D. 532.—Action for damages for loss of baggage carried personally by passenger.

Morgan v. Woolverton, 136 A. D. 351.—Action for damages for loss of baggage.

Meister v. Woolverton, 67 Misc. 167.—Action for damages for loss of baggage.

Mannion v. International Railway Co., 66 Misc. 420.—Suit for penalty for alleged violation of section 104 of Railroad Law.

Enton v. Coney Island & Brooklyn Railroad Co., 136 A. D. 800.—Suit for penalty for alleged violation of section 39 of Railroad Law.

Enton v. Nassau Electric Railroad Co., 68 Misc. 385.—Suit for penalty for alleged violation of section 39 of Railroad Law.

Missouri, K. & T. Ry. Co. v. Love et al.; *Atchison, T. & S. F. Ry. Co. v. Same*; *Gulf, C. & S. F. Ry. Co. v. Same*, 177 Fed. 493.—Suits to enjoin enforcement of passenger rate of two cents per mile.

Guaranty Trust Co. v. Metropolitan Street Railway Co. et al.; *Farmers' Loan & Trust Co. v. Same*, 180 Fed. 637.—Application to adjourn sale of assets until plan of reorganization can be presented to Public Service Commission.

Central Trust Co. v. Third Avenue Railway Co. et al., 180 Fed. 710.—Foreclosure of mortgages.

Central Trust Co. v. Third Avenue Railroad Co., 181 Fed. 282.—Petition for an order directing receiver to turn over to petitioners certain notes held by receiver against third party.

Farmers' Loan & Trust Co. v. Central Park, North & East River Railroad Co. et al., 181 Fed. 595.—Suit to foreclose mortgage.

Union Trust Co. v. Forty-second Street, Manhattanville & St. Nicholas Avenue Railway Co. et al., 179 Fed. 981.—Suit to foreclose mortgage.

Morton Trust Co. v. Metropolitan Street Railway Co., 179 Fed. 1010.—Suit to foreclose mortgage.

Farmers' Loan & Trust Co. v. Metropolitan Street Railway Co., 181 Fed. 575.—Suit to foreclose mortgage.

People ex rel. Hudson & Manhattan Railroad Co. v. State Board of Tax Commissioners; City of New York, Intervenor, 69 Misc. 1.—Certiorari to review the assessment of relator's special franchise.

People ex rel. Bryan et al. v. State Board of Tax Commissioners, 67 Misc. 474.—Certiorari to review assessment of special franchises.

Matter of Foster, 139 A. D. 769.—Application to set aside subpoena *duces tecum* issued by Commissioner of Accounts.

CHAPTER II.

ADDITIONAL RAPID TRANSIT.

Tri-Borough.—As stated in the first chapter, the Commission during the early part of the year held a number of conferences with the transit committee, consisting of the Mayor, the president of the Board of Aldermen and the Comptroller, appointed by the Board of Estimate and Apportionment of the City of New York. At these conferences various matters relative to the general routes and contracts were discussed. In the meantime, the Commission pressed the completion of the plans and of the forms of contracts and held the hearings required by law on the forms of contracts. After conferences with Acting Mayor John Purroy Mitchell and the corporation counsel as to the details of the forms of contracts and specifications, they were approved by the corporation counsel of the city, as required by the Rapid Transit Act, and on September 1, 1910, the Commission began advertising notice to bidders, 1st, for bids for the construction, equipment, maintenance and operation of the Tri-Borough Rapid Transit system with private capital, to be opened October 20th, and, 2d, for bids for the construction only, with municipal money, of twenty-one sections, comprising portions of the Tri-Borough Rapid Transit system. No bids were received on October 20th. The Bradley, Gaffney, Steers Company had at various times indicated that it might be a bidder but on that date filed a communication with the Commission as follows:

BRADLEY, GAFFNEY, STEERS COMPANY

CONTRACTORS

1 MADISON AVENUE, NEW YORK,
October 20, 1910.

HON. WILLIAM R. WILLCOX, *Chairman, Public Service Commission, 1st District, Tribune Bldg., City.*

DEAR SIR:—We regret that we are unable to submit to you to-day a bid in accordance with your invitation for the building of the Broadway-Lexington Avenue subway by private capital. The proposed contract submitted to bidders is so different from the proposition which we submitted to you that we do

not see how private capital can accept the terms you offer. Our proposition as submitted called for a first lien upon all income for the purpose of making payments of interest and amortization upon private capital invested before anything should be set aside for interest or amortization of city moneys employed. The proposed plan gives no such preference to private capital, and as we outlined to you at the time of the public hearing upon the proposed contract, we believe that this change, so fundamental, is the difference between the success and failure of the plan. We wish to thank you for the many courtesies we have received in the progress of our negotiations, and beg to remain,

Very truly yours,

BRADLEY, GAFFNEY, STEERS COMPANY,
(Sd.) HENRY STEERS, *President*.

On October 27th, twenty-three contractors submitted a total of seventy-six bids on the twenty-one sections. The aggregate of the lowest bid on all of the sections was \$85,437,570.11.

The Commission at the end of the year had not taken final action with respect to these bids, due, in part, to the situation as presented in a communication of the Commission to the Board of Estimate and Apportionment, dated December 20th, incorporated hereinafter.

The published legal notices for the submission of bids on the alternatives presented were as follows:

Bids for the construction with municipal funds of portions of the BROADWAY-LAFAYETTE AVENUE SUBWAY IN BROOKLYN (Brooklyn and Manhattan Loop Lines) and of the CANAL STREET SUBWAY IN MANHATTAN issued by the PUBLIC SERVICE COMMISSION for the First District, New York, No. 154 Nassau Street, New York City.

INVITATION TO CONTRACTORS.

PARTS OF CANAL STREET ROUTE AND BROOKLYN AND MANHATTAN LOOP LINES.

The City of New York, acting by the Public Service Commission for the First District (hereinafter called "the Commission") invites proposals to construct portions (hereinafter described) of a proposed Rapid Transit Railroad in the Boroughs of Manhattan and Brooklyn. Proposals may be submitted separately for any one or more of the separate sections of which such railroad consists as hereinafter stated.

The points within the city between which the said several portions are to run and the route or routes to be followed are briefly as follows:

CANAL STREET ROUTE.

(Route No. 20.)

SECTION No. 1 Beginning at a point in Watts Street, in the Borough of Manhattan, about eight (8) feet east of the east building line of West Street, and extending thence northeasterly under and along Watts Street to Canal Street, and thence easterly under and along Canal Street to a point about seventy-five (75) feet east of the northeast corner of West Broadway.

SECTION No. 2 In two parts. The first part beginning at a point under Canal Street, in the Borough of Manhattan, about seventy-five (75) feet east of the northeast corner of West Broadway, and extending thence easterly under and along Canal Street to a point about forty-seven (47) feet west of the northwest corner of Broadway. The second part beginning at a point under Canal Street about twenty-seven (27) feet east of the northeast corner of Broadway, and extending thence under and along Canal Street and under the existing subways in Lafayette Street and Centre Street to a point about forty (40) feet east of the east building line of the Bowery.

BROOKLYN AND MANHATTAN LOOP LINES.

(Route No. 9.)

SECTION No. 1 Begins at the Brooklyn terminal of the Williamsburg Bridge, at or near Driggs Avenue, and extends thence under the plaza of the Williamsburg Bridge and private property to Broadway at a point near Marcy Avenue; thence under Broadway to a point about one hundred and sixty (160) feet southeasterly from the center line of Sumner Avenue.

SECTION No. 2 In two parts. The first part begins at the end of Section 1, and extends thence under Broadway to a point about midway between Greene Avenue and Lexington Avenue. The second part begins at a point near Bushwick Avenue and extends thence westerly under Kossuth Place and under the projected subway in Broadway to Lafayette Avenue; and thence westerly under Lafayette Avenue to a point about six hundred and twenty (620) feet easterly from the center line of Tompkins Avenue.

SECTION No. 3 Begins at the end of the second part of Section 2, and extends thence westerly under Lafayette Avenue to Fulton Street; and thence under Fulton Street to a point at or near Ashland Place where a connection can be made with a subway now under construction.

The general plan of construction calls for a sub-surface railroad having two tracks throughout. Turnouts, cross-overs, connections, sidings, loops, etc., will be constructed, all of which are more particularly indicated on the contract drawings.

Bidders for the several sections will not be required to do the station-finish work, nor to provide or lay tracks, ties or ballast.

The work of construction under the contract shall include the construction of all necessary sewers and connections along the route of the railroad; also the necessary support, maintenance, readjustment and reconstruction of vaults adjacent to buildings, pipes, tubes, conduits, subways or other sub-surface structures; the support and care, including underpinning where necessary, of all buildings, monuments, surface, sub-surface and elevated railroads and other structures, etc., affected by or interfered with during the construction of the work; also the restoration of the sidewalks and the temporary paving and maintenance of roadways.

The method of construction will be by trench excavation, under cover, unless otherwise specified in the form of contract or permitted by the Commission.

Bidders must examine the form of contract, specifications, maps and plans; must visit the location of the work and inform themselves of the present conditions along the line thereof and make their own estimates of the facilities and difficulties attending the execution of the proposed work.

A fuller description of the work to be done is set forth, and other requirements, provisions, details and specifications are stated, in the printed form of contract and in the contract drawings therein referred to. Printed copies of the form of contract, form of bond and form of Contractor's proposal may be had on application at the office of the Commission, No. 154 Nassau Street, Borough of Manhattan, City of New York. The contract drawings may be

inspected at the same office, and copies thereof may be purchased by prospective bidders by payment of five dollars (\$5) for the contract drawings for each section. The printed form of contract and the contract drawings are to be deemed a part of this invitation.

Partial payments to the Contractor will be made monthly as the work proceeds as provided in the form of contract.

The Contractor for any section will be required to complete the work as soon as practicable and within the time prescribed for such completion in the form of contract.

Sealed bids or proposals will be received at the office of the Commission at No. 154 Nassau Street, Borough of Manhattan, City of New York, until the 27th day of October, 1910, at twelve (12) o'clock noon, at which time, or at a later date to be fixed by the Commission, the proposals will be publicly opened.

Proposals must be in the form prescribed by the Commission, copies of which may be obtained at the office of the Commission.

A statement based upon the estimate of the engineer, of the qualities of the various classes of the work and of the nature and extent as near as practicable of the work required for each section, is to be found in the schedules forming a part of the form of Contractor's Proposal. The quantities given in such schedules are approximate only, being given as a basis for the uniform comparison of bids and no claim is to be made against the city on account of any excess or deficiency, absolute or relative, in the same, except as provided in the specifications and form of contract. The attention of bidders for Section No. 2 of the Brooklyn and Manhattan Loop Lines (Route 9) is especially drawn to the necessity that may arise for the abandonment of the construction of either the Lafayette-Bushwick Avenue portion or the Broadway portion of this section. If, in the opinion of the Commission, such necessity shall arise, the Commission may notify the Contractor to abandon either of such portions, in which event the contract shall embrace only the work remaining, as determined by the Engineer, and the Contractor shall be paid therefor at the unit prices stipulated in his bid, or as otherwise provided in the form of contract.

Each proposal must, when submitted, be enclosed (separately, if for more than one section) in a sealed envelope endorsed "*Proposal for Constructing Rapid Transit Railroad—Route No. * , Section No. * ,*" and must be delivered to the Commission or its Secretary; and in the presence of the person submitting the proposal, it will be deposited in a sealed box in which all proposals will be deposited. No proposal will be received or deposited unless accompanied by a separate certified check for each section bid upon, drawn upon a national or state bank or trust company having its principal office in the City of New York, satisfactory to the Commission and payable to the order of the Comptroller of The City of New York for the amount herein specified for the section for which a proposal is made. Such check must not be enclosed in the envelope containing the proposal.

The Unit Prices must not be improperly balanced, and any bid which the Commission considers detrimental to the city's interest may be rejected.

No proposal, after it shall have been deposited with the Commission, will be allowed to be withdrawn for any reason whatever.

The award of the contract or contracts will be made by the Commission as soon as practicable after the opening of the proposals.

Bidders whose proposals are otherwise satisfactory, in case the sureties named by them are not approved by the Commission, may substitute in their proposals the names of other sureties approved by the Commission, but such substitution must be made within five days after notice of disapproval, unless this period is extended by the Commission.

* To be filled in with the route and section number for which the proposal is made.

A bidder whose proposal shall be accepted shall, in person or by duly authorized representative, attend at the said office of the Commission within ten days after the delivery of a notice by the Commission that his proposal is accepted and that the contract is consented to by the Board of Estimate and Apportionment, and such bidder shall then deliver a contract in the form referred to, duly executed and with its execution duly proved.

At the time of the delivery of the contract, the contractor will be required to furnish security to the city by giving a bond for the amount hereinafter stated. The contractor's bond must be in the form annexed to the form of contract.

In addition and as further security to the city, ten (10) per cent of the amount certified from time to time to be due to the contractor will be retained until the work is fully completed and accepted.

SCHEDULE INDICATING TIME ALLOWED FOR COMPLETION, THE AMOUNT OF BOND AND THE AMOUNT OF CERTIFIED CHECK FOR EACH OF THE SEVERAL SECTIONS.

	TIME FOR COMPLETION MONTHS	AMOUNT OF BOND	AMOUNT OF CERTIFIED CHECK
<i>Route 20</i>			
Section 1.....	42	\$500,000	\$15,000
" 2.....	42	500,000	15,000
<i>Route 9</i>			
Section 1.....	30	500,000	15,000
" 2.....	30	350,000	10,000
" 3.....	30	400,000	12,500

In case of failure or neglect to execute and deliver the contract or to execute and deliver the required bond, such bidder will, at the option of the Commission, be deemed either to have made the contract or to have abandoned the contract. In the latter case, the Commission will give notice thereof to such defaulting bidder, and the Commission may thereupon proceed to make another contract with such, if any, of the original bidders, as, in the opinion of the Commission, it will be to the best interests of the city, to contract with, or may by new advertisement invite further proposals. The defaulting bidder shall thereupon be liable to the city for all loss and damage by it sustained, including the excess, if any, of the amount it shall pay any other contractor over the amount of the bid of such defaulting bidder.

If the Commission shall give notice to any bidder that his or its proposal is accepted and that the contract is consented to by the Board of Estimate and Apportionment, and if the bidder shall fail within ten days thereafter or within such further period, if any, as may be prescribed by the Commission, to execute and deliver the contract and to execute and deliver the bond with sureties, then this invitation to contractors and proposal accepted as aforesaid shall be a contract binding the bidder to pay to the city the damage by it sustained by reason of such failure, and in such case the bidder shall, by the terms of the proposal, absolutely assign to the city the ownership of the check accompanying his or its proposal as a payment on account of such damages.

All such deposits made by bidders whose proposals shall not be accepted by the Commission will be returned to the person or persons making the same within five days after the contract shall be executed and delivered. The deposit of the successful bidder will be returned when the contract is executed and its provisions as to security are complied with.

The right to reject any and all bids is reserved.

New York, July 12, 1910.

PUBLIC SERVICE COMMISSION FOR THE FIRST DISTRICT,

By

WILLIAM R. WILLCOX,

Chairman.

TRAVIS H. WHITNEY,

Secretary.

Bids for the construction with municipal funds of portions of the BROADWAY-LEXINGTON AVENUE SUBWAY issued September 1, 1910, by the PUBLIC SERVICE COMMISSION for the First District, New York, No. 154 Nassau Street, New York City.

INVITATION TO CONTRACTORS.

PARTS OF LEXINGTON AVENUE ROUTE.

The City of New York, acting by the Public Service Commission for the First District (hereinafter called "the Commission"), invites proposals to construct portions of a proposed Rapid Transit Railroad in the Boroughs of Manhattan and The Bronx in the City of New York. Proposals may be submitted separately for any one or more of the separate sections of which such railroad consists as hereinafter stated.

The points within the city between which the said several parts are to run and the route or routes to be followed are briefly as follows:

LEXINGTON AVENUE ROUTE.

(Route No. 5.)

SECTION No. 1 Begins under Battery Park and extends thence under Battery Place, Greenwich Street, Trinity Place and Church Street to a point about 80 feet north of the centre line of Dey Street; with a station in Battery Park, a station at Rector Street and a station at Cortlandt and Dey Streets.

SECTION No. 2 Begins at the end of Section 1 and extends thence under Church Street, private property, Vesey Street, private property and Broadway to a point under Broadway about 110 feet north of the centre line of Walker Street; with a station at Murray and Warren Streets.

SECTION No. 2-A Begins at the end of Section 2 and extends thence under Broadway to a point about on the northerly building line of Howard Street. This section includes the Canal Street station and also the portion of the Canal Street subway lying thereunder.

SECTION No. 3 Begins at the end of Section 2-A and extends thence under Broadway to a point about midway between Houston and Bleecker Streets; with a station at Prince Street.

SECTION No. 4 Begins at the end of Section 3 and extends thence under Broadway, private property and the several cross streets to a point under private property at the southerly line of East Fourteenth Street and Irving Place; with a station at Astor Place and East Eighth Street.

SECTION No. 5 Begins at the end of Section 4 and extends thence under Irving Place, Gramercy Park and Lexington Avenue to a point about 140 feet north of the centre line of East Twenty-sixth Street; with a station at East Fourteenth and East Fifteenth Streets and a station at East Twenty-third Street.

SECTION No. 6 Begins at the end of Section 5 and extends thence under Lexington Avenue to about the centre line of East Fortieth Street; with a station at East Twenty-seventh and East Twenty-eighth Streets and a station at East Thirty-fourth Street.

SECTION No. 7 Begins at the end of Section 6 and extends thence under Lexington Avenue to a point about 50 feet north of the centre line of East Fifty-third Street; with a station at East Forty-second and Forty-third Streets and a station at East Fifty-first Street.

SECTION No. 8 Begins at the end of Section 7 and extends thence under Lexington Avenue to a point about 50 feet north of the centre line of East Sixty-seventh Street; with a station at East Fifty-eighth and East Fifty-ninth Streets.

SECTION No. 9 Begins at the end of Section 8 and extends thence under Lexington Avenue to a point about 70 feet south of the centre line of East Seventy-ninth Street; with a station at East Sixty-eighth and East Sixty-ninth Streets and a station at East Seventy-seventh Street.

SECTION No. 10 Begins at the end of Section 9 and extends thence under Lexington Avenue to a point about 50 feet south of the centre line of East Ninety-third Street; with a station at East Eighty-sixth Street.

SECTION No. 11 Begins at the end of Section 10 and extends thence under Lexington Avenue to a point about 70 feet south of the centre line of East One Hundred and Sixth Street; with a station at East Ninety-sixth Street and a station at East One Hundred and Second and East One Hundred and Third Streets.

SECTION No. 12 Begins at the end of Section 11 and extends thence under Lexington Avenue to a point about 115 feet south of the centre line of East One Hundred and Eighteenth Street; with a station at East One Hundred and Tenth and East One Hundred and Eleventh Streets and a station at East One Hundred and Sixteenth Street.

SECTION No. 13 Begins at the end of Section 12 and extends thence under Lexington Avenue to a point about 120 feet south of the centre line of East One Hundred and Twenty-ninth Street; with a station at East One Hundred and Twenty-fifth Street.

SECTION No. 14 Begins at the end of Section 13 and extends thence under Lexington Avenue, private property and the Harlem River to a point in private property in the Borough of The Bronx, thence under private property and Park Avenue to East One Hundred and Thirty-fifth Street. Here the line divides into two branches. The west branch begins at about the centre line of East One Hundred and Thirty-fifth Street and extends thence under private property to a point in private property a distance of about 655 feet from the centre line of East One Hundred and Thirty-fifth Street and about 50 feet west of the centre line of Mott Avenue. The east branch extends under Park Avenue and partly under private property to about the intersection of the easterly line of Mott Avenue with the westerly line of Park Avenue.

SECTION No. 15 This section consists of two branches. The west branch begins at the end of the west branch of Section 14 and extends thence under East One Hundred and Thirty-eighth Street, private property and Mott Avenue, Franz Sigel Park, private property and the several cross streets to a point in private property on the easterly side of River Avenue about 120 feet south of the south line of East One Hundred and Fifty-seventh Street; with a station at East One Hundred and Thirty-eighth Street and East One Hundred and Forty-ninth Street. [The portion of this section north of East One Hundred and Fifty-first Street is part of the River Avenue Route adopted by the Commission on the 16th day of June, 1908.] The east branch begins at the end of the east branch of Section 14 and extends thence under Park Avenue, private property, Canal Street West and East One Hundred and Thirty-eighth Street to a point in East One Hundred and Thirty-eighth Street about 150 feet easterly of the centre line of Alexander Avenue, with a station between Third and Alexander Avenues.

The general plan of construction calls for a sub-surface railroad having two tracks between Battery Park and Chambers Street in Manhattan, and four tracks from Chambers Street, in Manhattan, to One Hundred and Thirty-fifth Street and Park Avenue in The Bronx, with the branches in The Bronx having in the main three tracks each. Turnouts, cross-overs, connections, sidings, loops, etc., will be constructed, all of which are more particularly indicated on the contract drawings.

For Section 14 two plans designated Type H and Type K respectively have been prepared. The bidders for such section may submit a proposal for either or both of such types. After a comparison of the bids the Commission will determine which of such plans shall be adopted.

Bidders for the several sections will not be required to do the station-finish work, nor to provide or lay tracks, ties or ballast.

The work of construction under the contract shall include the construction of all necessary sewers and connections, along the route of the railroad; also the necessary support, maintenance, readjustment and reconstruction of vaults adjacent to buildings, pipes, tubes, conduits, subways or other subsurface structures; the support and care, including underpinning where necessary, of all buildings, monuments, surface, subsurface and elevated railroads and other structures, etc., affected by or interfered with during the construction of the work; also the restoration of the sidewalks and the temporary paving and maintenance of roadways.

The method of construction will be partly by trench excavation (under cover, unless otherwise specified in the form of contract or permitted by the Commission), and partly by tunnel, as set forth in the forms of contract.

Bidders must examine the form of contract, specifications, maps and plans; must visit the location of the work and inform themselves of the present conditions along the line thereof and make their own estimates of the facilities and difficulties attending the execution of the proposed work.

A fuller description of the work to be done is set forth, and other requirements, provisions, details and specifications are stated, in the printed form of contract and in the contract drawings therein referred to. Printed copies of the forms of contract, bond and contractor's proposal may be had on application at the office of the Commission, No. 154 Nassau Street, Borough of Manhattan, City of New York. The contract drawings may be inspected at the same office, and copies thereof may be purchased by prospective bidders by payment of five dollars (\$5.00) for the contract drawings for each section. The printed form of contract and the contract drawings are to be deemed a part of this invitation.

The Commission is informed by the Department of Docks and Ferries that docks and bulkheads along the East River may be available for dumping purposes.

Information in regard thereto may be obtained by any intending bidder upon inquiry at the office of the Commission.

Partial payments to the contractor will be made monthly as the work proceeds, as provided in the form of contract.

The contractor for any section or sections will be required to complete the work as soon as practicable and within the time hereinafter prescribed for such completion.

Sealed bids or proposals will be received at the office of the Commission at No. 154 Nassau Street, Borough of Manhattan, City of New York, until the 27th day of October, 1910, at twelve (12) o'clock noon, at which time, or at a later date to be fixed by the Commission, the proposals will be publicly opened.

Proposals must be in the form prescribed by the Commission, copies of which may be obtained at the office of the Commission.

A statement, based upon the estimate of the engineer, of the quantities of the various classes of the work and of the nature and extent as near as practicable of the work required for each section, is to be found in the schedules forming a part of the form of contractor's proposal. The quantities given in such schedules are approximate only, being given as a basis for the uniform comparison of bids and no claim is to be made against the city on account of any excess or deficiency, absolute or relative, in the same, except as provided in the specifications and form of contract.

All proposals must, when submitted, be enclosed in a sealed envelope endorsed "*Proposal for constructing Rapid Transit Railroad — Route No. 5, Section No. ,**" and must be delivered to the Commission or its Secretary; and in the presence of the person submitting the proposal, it will be deposited in a sealed box in which all proposals will be deposited. No proposal will be received or deposited unless accompanied by a separate certified

* To be filled in with the section number for which the proposal is made.

check for each section bid upon, drawn upon a national or state bank or trust company having its principal office in the City of New York, satisfactory to the Commission and payable to the order of the Comptroller of The City of New York for the amount herein specified for the section for which a proposal is made. Such check must not be enclosed in the envelope containing the proposal.

The Unit Prices must not be improperly balanced, and any bid which the Commission considers detrimental to the city's interest may be rejected.

No proposal, after it shall have been deposited with the Commission, will be allowed to be withdrawn for any reason whatever.

The award of the contract or contracts will be made by the Commission as soon as practicable after the opening of the proposals.

Bidders whose proposals are otherwise satisfactory, in case the sureties named by them are not approved by the Commission, may substitute in their proposals the names of other sureties approved by the Commission, but such substitution must be made within five days after notice of disapproval, unless this period is extended by the Commission.

A bidder whose proposal shall be accepted shall, in person or by duly authorized representative, attend at the said office of the Commission within ten days after the delivery of a notice by the Commission that his proposal is accepted and that the contract is consented to by the Board of Estimate and Apportionment, and such bidder shall then deliver a contract in the form referred to, duly executed and with its execution duly proved.

At the time of the delivery of the contract, the contractor will be required to furnish security to the city by giving a bond for the amount hereinafter stated. The contractor's bond must be in the form annexed to the form of contract.

In addition and as further security to the city, ten (10) per cent of the amount certified from time to time to be due to the contractor will be retained until the work is fully completed and accepted.

SCHEDULE INDICATING TIME ALLOWED FOR COMPLETION, THE AMOUNT OF BOND AND THE AMOUNT OF CERTIFIED CHECK FOR EACH OF THE SEVERAL STATIONS

		TIME FOR COMPLETION MONTHS	AMOUNT OF BOND	AMOUNT OF CERTIFIED CHECK
<i>Route 5</i>				
Section 1.	1.	42	\$500,000	\$15,000
"	2.	42	600,000	15,000
"	2A.	42	250,000	10,000
"	3.	42	300,000	10,000
"	4.	36	300,000	10,000
"	5.	42	300,000	10,000
"	6.	42	350,000	10,000
"	7.	42	350,000	10,000
"	8.	42	300,000	10,000
"	9.	42	300,000	10,000
"	10.	42	300,000	10,000
"	11.	42	300,000	10,000
"	12.	42	400,000	12,500
"	13.	42	400,000	12,500
"	14.	42	500,000	15,000
"	15.	42	500,000	15,000

In case of failure or neglect to execute and deliver the contract or to execute and deliver the required bond, such bidder will, at the option of the Commission, be deemed either to have made the contract or to have abandoned the contract. In the latter case, the Commission will give notice thereof to such defaulting bidder, and the Commission may thereupon proceed to make another contract with such, if any, of the original bidders, as, in the opinion of the

Commission, it will be to the best interests of the city to contract with, or may by new advertisement invite further proposals. The defaulting bidder shall thereupon be liable to the city for all loss and damage by it sustained, including the excess, if any, of the amount it shall pay any other contractor over the amount of the bid of such defaulting bidder.

If the Commission shall give notice to any bidder that his or its proposal is accepted and that the contract is consented to by the Board of Estimate and Apportionment, and if the bidder shall fail within ten days thereafter or within such further period, if any, as may be prescribed by the Commission, to execute and deliver the contract and to execute and deliver the bond with sureties, then this invitation to contractors and proposal accepted as aforesaid shall be a contract binding the bidder to pay to the city the damage by it sustained by reason of such failure, and in such case the bidder shall, by the terms of the proposal, absolutely assign to the city the ownership of the check accompanying his or its proposal as a payment on account of such damages.

All such deposits made by bidders whose proposals shall not be accepted by the Commission will be returned to the person or persons making the same within five days after the contract shall be executed and delivered. The deposit of the successful bidder will be returned when the contract is executed and its provisions as to security are complied with.

The right to reject any and all bids is reserved.

New York, July 12, 1910.

PUBLIC SERVICE COMMISSION FOR THE FIRST DISTRICT,

By

WILLIAM R. WILLCOX,
Chairman.

TRAVIS H. WHITNEY,
Secretary.

Bids for the construction, equipment, maintenance and operation of the TRI-BOROUGH SUBWAY AND ELEVATED SYSTEM of rapid transit railroads in New York City, issued September 1, 1910, by the PUBLIC SERVICE COMMISSION for the First District, New York, No. 154 Nassau Street, New York City.

INVITATION TO CONTRACTORS.

The City of New York (hereinafter called the "City"), acting by the Public Service Commission for the First District (hereinafter called the "Commission"), hereby invites proposals to construct in part, to equip, and thereafter to use, maintain and operate for a term of years a Rapid Transit Railroad in the City of New York, known as the Tri-Borough Rapid Transit Railroad and hereinafter in this Invitation referred to for convenience as "the Railroad." The points within the city between which the several parts of the Railroad to be constructed by the contractor are to run and the route or routes to be followed are briefly as follows: One part begins at a point under Battery Park, near the water-front, in the Borough of Manhattan, and runs thence as a sub-surface railroad along and under Greenwich street, Church street, and Broadway (with a connecting line running east and west under Canal street) and under Irving place and Lexington avenue, passing under other streets and private property; thence under the Harlem River and private property to One Hundred and Thirty-fifth street and Park avenue, in the Borough of The Bronx, where the line divides. The east side branch extends under Park avenue and private property to One Hundred and Thirty-eighth street, thence under One Hundred and Thirty-eighth street, the Southern Boulevard, and Whitlock avenue to a point in private property south of Westchester avenue, where the line emerges and becomes an elevated railroad, thence continuing along Whitlock avenue and Westchester avenue to Pelham Bay Park. The west side branch, beginning at One Hundred and Thirty-fifth street and Park avenue, extends thence under private property, Mott avenue, Franz Sigel Park, crossing under other streets and private property to a point in private prop-

erty near River avenue and One Hundred and Fifty-seventh street, where the line emerges and becomes an elevated railroad, thence continuing along River avenue and Jerome avenue to Woodlawn road. The connecting line in the Borough of Manhattan under Canal street begins near Chrystie street and extends westerly as a sub-surface railroad under Canal street and Watts street to West street. In the Borough of Brooklyn, the Railroad consists of several portions. One portion, which begins in Fourth avenue near Forty-third street, runs thence as a sub-surface railroad under Fourth avenue to Fort Hamilton, and another portion beginning in Fourth avenue near Fortieth street runs thence as a sub-surface railroad under Fortieth street, New Utrecht avenue and Eighty-sixth street to a point between Twenty-third and Twenty-fourth avenues, where it emerges from the ground and becomes an elevated railroad, thence continuing over Eighty-sixth street and Stillwell avenue to Coney Island. The other portion of the Railroad in Brooklyn consists of two branches. One branch begins at the Brooklyn Terminal of the Williamsburg Bridge and runs as a sub-surface railroad under the plaza of Williamsburg Bridge, private property and Broadway to a point between Greene avenue and Lexington avenue. The other branch begins under Fulton street near Ashland place and runs also as a sub-surface railroad under Fulton street, Lafayette avenue and Kossuth place to Bushwick avenue.

The general plan of construction of the Railroad calls for two tracks between Battery Park and Chambers street in Manhattan and four tracks from Chambers street in Manhattan to One Hundred and Thirty-fifth street and Park avenue in The Bronx, with the branches in The Bronx having in the main three tracks each. The branch under Canal street in Manhattan will have two tracks.

In Brooklyn the portion of the Railroad beginning in Fourth avenue and extending to Fort Hamilton will have two tracks, and the other portion, extending to Coney Island, will have three tracks for the subway part and four tracks for the elevated part; the portion consisting of two branches, one running under Broadway from Williamsburg Bridge to Greene avenue, and the other, under Fulton street and Lafayette avenue from Ashland place to Bushwick avenue, will have two tracks for each branch. Turn-outs, cross-overs, connections, sidings, loops, etc., will be constructed, all of which are more particularly indicated on the contract drawings.

The work of constructing the Railroad will include the construction of all necessary sewers and connections along the line of the Railroad; also the necessary support, maintenance, readjustment and reconstruction of vaults adjacent to buildings, pipes, tubes, conduits, subways or other sub-surface structures, the support and care, including underpinning where necessary, of all buildings, monuments, surface, sub-surface, and elevated railroads, and other surface or sub-surface structures, etc., affected by or interfered with during the construction of the work; also the restoration of street surfaces, including pavements.

The method of construction will be partly trench excavation (under cover unless otherwise provided in the form of contract or permitted by the Commission) and partly tunnel, as set forth in the form of contract.

For the tunnel tubes under the Harlem River two plans, designated Type H and Type K, respectively, have been prepared. Type H is for cast-iron tubes enclosed in concrete. Type K is for riveted steel tubes enclosed in concrete. Bidders for the contract for construction, equipment and operation may select the type they prefer, and shall state their selection in the proposal.

Bidders must examine the form of contract, specifications, maps and plans, must visit the location of the work and inform themselves of the present conditions along the line thereof and make their own estimates of the facilities and difficulties attending the execution of the proposed work.

In addition to the construction, equipment, maintenance and operation of the portion of the Railroad above referred to, the contractor shall equip, and thereafter use, maintain and operate as a component part of the Railroad the parts of the Fourth Avenue Route, the Manhattan Bridge Route, Revised, and the Brooklyn and Manhattan Loop Lines now constructed or under con-

struction by the city. The points within the city between which the several parts of the Railroad so constructed or under construction by the city are to run and the route or routes to be followed are briefly as follows:

(a) Beginning at a point in the Borough of Manhattan contiguous to the Brooklyn Bridge and extending thence northerly under Centre street to a point at or near Broome street, thence curving easterly into Delancey street; and thence easterly under Delancey street to and over the Williamsburg Bridge to the Brooklyn terminal of such bridge.

(b) Beginning at a point in the line just described at or near White street, in the Borough of Manhattan, and curving thence easterly into Walker street; and thence easterly under Walker street and Canal street to and over the Manhattan Bridge to a point in Flatbush avenue extension, in the Borough of Brooklyn; thence southerly under Flatbush avenue extension and private property to Fulton street; thence southeasterly under Fulton street and private property to Ashland place; and thence under Ashland place and private property to Hanson place; and thence under Hanson place, private property, Flatbush avenue and Atlantic avenue to Fourth avenue; and thence in a general southerly direction under Fourth avenue to a point therein at or near the intersection of Fourth avenue and Forty-third street.

The maximum fare which will be charged a single passenger for a continuous ride over the whole or any part of the Railroad shall not exceed five cents, unless the Commission shall consent to a higher rate of fare as provided in the form of contract.

Bidders may state in their proposals what transportation facilities connecting or to connect with the Railroad, the contractor will assure to the city, specifying separately in List A forming part of the proposal the connecting lines over which the contractor will assure to any passenger a continuous trip for a single fare not exceeding five cents without change of cars; in List B forming part of the proposal the connecting lines over which the contractor will assure to any passenger a continuous trip for a single fare not exceeding five cents with or without change of cars at the option of the contractor; and in List C forming part of the proposal the connecting lines over which the contractor will assure to any passenger a continuous trip with or without change of cars at the option of the contractor for fares exceeding five cents per trip, but within limitations to be specified.

A fuller description of the work to be done is set forth and other requirements, provisions, details and specifications are stated in the printed form of contract and in the contract drawings therein referred to. Printed copies of the form of contract, forms of bonds and form of contractor's proposal may be had on application at the office of the Commission, No. 154 Nassau street, Borough of Manhattan, New York City. The contract drawings for the Railroad may be inspected at the same office. The printed form of contract and the contract drawings therein referred to are to be deemed a part of this Invitation.

The contractor will be required to begin actual work within sixty (60) days after the execution of the contract, and to complete the construction and equipment of the portions of the Railroad to be constructed by him and the equipment of the portions of the Railroad constructed or under construction by the city so that the Railroad shall be ready for immediate, full and continuous operation within four (4) years from the date of the delivery of the contract.

Sealed bids or proposals will be received at the office of the Commission at No. 154 Nassau Street, Borough of Manhattan, City of New York, until the twentieth day of October, 1910, at twelve (12) o'clock noon, at which time or at a later date to be fixed by the Commission, the proposals will be publicly opened.

Proposals must be in the form prescribed by the Commission, copies of which may be obtained at the office of the Commission.

The contractor shall at his or its own expense construct and equip the portion of the Railroad to be constructed by him and shall at his or its own expense equip the portion of the Railroad constructed or under construction by the city except as noted in the form of contract, and shall thereafter put the Railroad into operation, and use, maintain and operate the same for the term of years to be specified in the proposal. The contractor shall amortize the cost of constructing the portion of the Railroad to be constructed by him and upon the expiration of such amortization period which will be equivalent to the term for the operation of the Railroad the contractor shall surrender possession of the Railroad (including both the portion constructed by him and the portion constructed by the city) to the city, without compensation to the contractor, except for the remainder of the cost of additions to and changes in the Railroad that at the rate specified in the contract should remain unamortized and except that the city shall purchase the equipment of the Railroad suitable to and used for the purposes of the contract as therein provided.

The city will provide all real estate or interests therein necessary for the equipment and operation of the Railroad as provided in the form of contract.

The city shall have the right to terminate the contract for the equipment, maintenance and operation of the Railroad at any time after the expiration of ten years from the date when operation of any part of the Railroad shall actually begin, in which event the city shall purchase the equipment of the Railroad suitable to and used for the purposes of the contract and shall pay an amount for the contractor's investment in the construction of the portion of the Railroad constructed by him which shall not exceed the actual cost to the contractor plus fifteen (15) per cent thereof, all as provided in the form of contract.

Bidders must specify in their proposals as follows:

(1) The term of years during which the contractor shall have the right to use, maintain and operate the Railroad subject, however, to termination by the city.

(2) The percentage of the cost of construction, of the portion of the Railroad to be constructed by the contractor, which the contractor shall set aside annually in quarterly installments as an amortization fund.

(3) The annual rate of interest, to be compounded semi-annually, upon such percentage to be set aside as an amortization fund.

(4) The rate of interest (not to exceed six (6) per centum per annum) desired upon the cost of constructing and equipping the portion of the Railroad to be constructed and equipped by the contractor and the cost of equipping the portion of the Railroad constructed or under construction by the city.

The contractor will be required to pay to the city interest upon the investment of the city in the portion of the Railroad constructed or under construction by it as provided in the form of contract.

Any and all income and increase derived by the contractor or on his behalf in any manner from the enterprise of constructing, equipping, maintaining and operating the Railroad, shall, after deducting operating expenses, taxes, payments to reserve and amortization and interest upon the investment of the contractor and the city in the construction and equipment of the Railroad, all as in the form of contract provided, be divided share and share alike between the contractor and the city.

Each proposal must, when submitted, be enclosed in a sealed envelope endorsed "Proposal for Construction, Equipment, Maintenance and Operation of Tri-Borough Rapid Transit Railroad" and must be delivered to the Commission or to the Secretary of the Commission and in the presence of the person offering the proposal, the proposal will be deposited in a sealed box in which all proposals will be deposited. No proposal will be received or deposited unless accompanied by a certified check drawn upon a national or state bank or trust company, having its principal office in the City of New York, and satisfactory to the Commission, payable to the order of the Comptroller of the City of New York for the amount of one hundred thousand dollars (\$100,000). Such check must not be enclosed in the envelope containing the proposal.

No proposal will be allowed to be withdrawn for any reason whatever after it shall have been deposited with the Commission.

The award of the contract will be made by the Commission as soon as practicable after the opening of the proposals.

Bidders must state in their proposals the names and places of business of their proposed sureties and a description of the securities they propose depositing. Bidders whose proposals are otherwise satisfactory may, in case the sureties or securities named by them are not approved by the Commission, substitute in their proposals other sureties or securities approved by the Commission, but such substitution must be made within five days after notice of disapproval, unless this period is extended by the Commission.

The bidder whose proposal shall be accepted shall in person or by duly authorized representative attend at the said office of the Commission within ten days after the delivery of a notice by the Commission that his proposal is accepted and that the contract is consented to by the Board of Estimate and Apportionment and such bidder shall then deliver a contract in the form referred to duly executed and with its execution duly proved.

At the time of the delivery of the contract the contractor will be required to give security to the city as follows: (1) By deposit of two million dollars (\$2,000,000) in cash or securities of the character of securities in which savings banks of this state may invest their funds and which securities shall be approved by the Commission, (2) By bond for construction and equipment for two million dollars (\$2,000,000), and (3) By bond for construction, equipment, maintenance and operation for three million dollars (\$3,000,000). The contractor's bonds must be in the forms annexed to the form of contract.

In case of failure or neglect to execute and deliver the contract or to make the required deposit or to execute and deliver the required bonds such bidder will, at the option of the Commission, be deemed either to have made the contract or to have abandoned the contract. In the latter case the Commission will give notice thereof to the defaulting bidder and the Commission may thereupon proceed to make another contract with such, if any, of the original bidders as in the opinion of the Commission it will be to the best interests of the city to contract with, or may by new advertisement invite further proposals. The defaulting bidder shall thereupon be liable to the city for all loss and damage by it sustained.

If the Commission shall give notice to any bidder that his or its proposal is accepted and that the contract is consented to by the Board of Estimate and Apportionment and if the bidder shall fail within ten days thereafter or within such further period, if any, as may be prescribed by the Commission, to execute and deliver the contract and to make the required deposit and to execute and deliver the bonds with sureties, then this invitation to contractors and proposals accepted as aforesaid shall be a contract binding the bidder to pay to the city the damage by it sustained by reason of such failure, and in such case the bidder shall by the terms of the proposal absolutely assign to the city the ownership of the check accompanying his or its proposal as a payment on account of such damages.

All certified checks deposited by bidders whose proposals shall not be accepted by the Commission will be returned to the person or persons depositing the same within five days after the contract shall be executed and delivered. The check of the successful bidder will be returned when the contract is executed and its provisions as to security are complied with.

The right to reject any and all bids is reserved.

New York, July 12, 1910.

PUBLIC SERVICE COMMISSION FOR THE FIRST DISTRICT.

By WILLIAM R. WILLCOX,
Chairman.

TRAVIS H. WHITNEY,
Secretary.

Considerable public criticism manifested itself during the period shortly before the receipt of bids on October 27th. In view of the situation as it then stood, the Chairman of the Commission deemed it advisable to make the following public statement:

STATEMENT BY CHAIRMAN WILLIAM R. WILLCOX, November 16, 1910.

Beginning years ago the question of a Tri-Borough system, that is, of a comprehensive system of rapid transit was considered and decided upon by the Rapid Transit Commission and the then Board of Estimate and Apportionment and has been adhered to with certain changes since then by this Commission and by successive Boards of Estimate.

If, when the city has once become committed to a comprehensive plan, the work is to be suspended whenever new contracts are about to be let, no rapid transit relief will be secured, but we must go on for another generation with the frightful congestion of population, the overcrowding of tenements and the indecent jamming of our transportation lines which are so evident. The cost of construction, including station finish, of the entire Tri-Borough system as contemplated is \$147,500,000. Of this system the Centre Street loop, costing \$9,800,000, is nearly finished. The six sections of the Fourth Avenue subway, costing \$15,000,000, will be finished within eighteen months. The Manhattan Bridge portion, costing not less than \$25,000,000, is nearly finished. The Williamsburg bridge, costing almost as much, is already finished. The cost of these bridges does not come within the total cost of the Tri-Borough, for the policy of the city has been not to include cost of bridges as part of rapid transit and not to expect any revenue from bridges. The city is committed to these links of the system. They are admittedly the expensive and less profitable parts. Standing alone they represent stub ends. These subway links, and in large part the bridges, will be useless unless the comprehensive plan of which they are a part—the Tri-Borough system—shall be completed. As single units, they cannot be made to produce adequate income, and no board of estimate, rapid transit commission or public service commission ever for a moment labored under the delusion that they would be worth building if the system of which they are a part should be abandoned. The reason for their construction was that they were links in a chain and a beginning had to be made somewhere.

The fundamental question is not, therefore, whether the city shall now begin the Tri-Borough system, but whether having spent \$25,000,000, it shall spend a further amount to complete the system. Let no mistake be made. The opposition is *now* so hostile to the construction of the trunk line of the Tri-Borough because it will be profitable and when connected with the Loop and Fourth Avenue subway will make profitable what may not be as profitable without articulation. They require the completion of the other portions of the system. These portions—that is the Lexington Avenue, with the two Bronx extensions, Canal Street, Broadway-Lafayette and the two South Brooklyn extensions, on \$85,000,000 bids received and estimates on the remainder, will cost, including station finish, \$123,000,000, as compared with \$209,000,000, the cost of construction of those portions as given by certain critics. The location of the bridges was not determined by the Public Service Commission or the

Rapid Transit Commission, but a rapid transit system had to be correlated to them. Had there been no Manhattan bridge, it might have been possible to go to the Battery and then to Brooklyn, thus omitting any Canal Street crosstown line.

This is not the time for discussion of the advisability of the Centre Street loop or of the Fourth Avenue subway under construction. The Centre Street loop was contracted for in 1907, with the approval of the Rapid Transit Commission and the Board of Estimate. The plans and forms of contract of the Fourth Avenue subway had been progressed by the Rapid Transit Commission to the point where, when this Commission came into office, eminent lawyers were of the opinion that the Commission had no discretion but must proceed to the securing and awarding of bids for construction.

Now, as to remaining portions of the Tri-Borough not yet under contract, consisting of Broadway-Lexington, Broadway-Lafayette, and the criticism that the cost would be excessive, let certain comparisons be made.

It is believed that, in view of the cost of rapid transit lines under contracts heretofore made, its cost is reasonable. The average cost per mile of track of the municipal rapid transit routes now operated by the Interborough was \$784,351. In 1907 the president of the Interborough, in a letter to the Rapid Transit Commission giving the reasons why his company was not a bidder on the routes then proposed, stated that his engineers had found that the increased cost through labor, material, methods of construction, etc., would increase the average cost per mile of track by 100 per cent. Within a few days two directors of the Interborough have stated in a conversation that it would cost double the amount if the Interborough subway were to be built now. In the portions of the Tri-Borough not yet under contract the cost on bids submitted and estimates made will be \$1,014,000 per mile of track. In other words, the cost per mile of track of the Tri-Borough is only 30 per cent more than the Interborough and nearly 70 per cent less than what officers and directors believe the Interborough could be reproduced for now.

If comparison be made in the cost of construction of the Tri-Borough with the present subway and not with the Interborough figures when it was reluctant to bid, the 30 per cent increase of the Tri-Borough is not an unreasonable amount, having in mind the public requirement that construction must be under cover and not in open trenches; that the cost of labor, including employers' liability, has increased and that the size of the structure has been somewhat increased. The increased size of the bore will allow an increase in the width of the cars of the Tri-Borough over the Interborough of 16 per cent. The multiple stations of the Tri-Borough, together with the methods of connection between express and local tracks will make possible the running of trains in less than 1 minute 30 seconds, as compared with 1 minute 48 seconds, which is the best that the Interborough is able to do because of the delay at stations. In other words, even if trains of the Tri-Borough maintained a headway no better than 1 minute 30 seconds, although it is believed possible to operate them at intervals of one minute, if manufacturers of brakes and signals are able to perfect such devices still further, there will be an increase in the train headway of 13 per cent. Consequently the Tri-Borough, although its cost will be 30 per cent more, will represent an increase in capacity on a conservative estimate

of headway and car capacity of almost an identical per cent. In addition to this increase in train capacity of nearly 30 per cent, the stations will accommodate ten cars, which in itself represents nearly 25 per cent additional capacity over what the Interborough is now doing.

In the Interborough there are 74.18 miles of single track. In the Tri-Borough there are 144 miles of single track and it is laid out in such a way that there are in fact three routes — the north and south one in Manhattan and The Bronx; the Broadway-Lafayette and the Fourth Avenue. Each of these will furnish a maximum rush-hour traffic of its own. In addition there will be at least three areas of short-haul business — from outlying portions of Brooklyn to the center of Brooklyn; from the center of Brooklyn to the center of Manhattan; from points in Manhattan to other points in Manhattan.

Considering the increase in width of cars and reduction of headway, three-way rush hour travel and three centers of short haul business, the indicated capacity of the Tri-Borough on the same basis of extreme congestion that now exists in the Interborough will be around 3,000,000 passengers per day. The actual traffic that would offer itself after construction is completed can only be judged by experience. Engineers of the Rapid Transit Commission figured in advance that the extreme capacity of the present subway would be around 800,000 passengers per day. Engineers and financiers in considering the matter of bidding on the original contract did not expect that traffic would develop beyond 400,000 passengers a day. The actual traffic has exceeded the estimate of extreme capacity. In 1899 when the present or Interborough subway was contracted for, the surface lines in New York County carried 360,000,000 passengers and the elevated 174,000,000. Fears may then have been felt that the subway would not develop its own traffic, yet in the year ending June 30, 1910, in New York County the surface line carried 430,000,000, the elevated 293,000,000 and the Interborough subway 269,000,000. With these figures in mind the argument that the Tri-Borough would afford unnecessary capacity inasmuch as it would take most of those who now ride on the elevated and subway falls to the ground. It might just as well have been stated in 1899 that to build a subway to carry 260,000,000 would take away all of the traffic from the elevated and a part of the traction traffic, while the facts show that it has developed not only its own traffic of 269,000,000 and is crowded beyond the point of decency but the surface and elevated lines have increased 33 per cent. The developments in suburban travel on the part of the electrified divisions of the trunk railroads and the average increase in travel in the city, which is nearly 70,000,000 passengers a year, lead to the belief, without here going into further details, that actual traffic offering itself on the Tri-Borough will approach very closely to its capacity.

Some persons have evidently attempted to create the impression that there is a difference between the Board of Estimate and the Commission. As a matter of fact, the Commission, because the Rapid Transit Act requires the approval of the Board of Estimate to every formal step in connection with rapid transit routes, has endeavored consistently to learn the probable attitude of the board and to govern its action thereby. An examination of the records will show that the Rapid Transit Commission and the Public Service Commission in acting on the various parts of the Tri-Borough system have consistently, since 1906, secured and followed the advice of the Board of Estimate so far as it has been possible to get such advice. In June, 1909,

after a full approval of the Tri-Borough system, the Commission endeavored to have the board indicate in advance its wishes as to what portions of the Tri-Borough system not then under contract it deemed should be first contracted for, and whether the board considered it advisable to have bids secured for construction, equipment and operation or for construction. The board relying on the fact that the Rapid Transit Act did not require formal action at that stage of the proceedings, left the matter to the discretion of the Commission. With the coming in of the present Board of Estimate, it appointed a transit committee with which the Commission frequently discussed questions involved in these contracts. Later the contracts and specifications were gone over in detail in conferences between a member of that committee and its engineers and representatives of the Commission and an agreement was reached. The forms were then approved by the corporation counsel and bids were invited. So far as the Commission is aware, nothing has been done that is in conflict with the judgment of that committee. As soon as the Commission can complete to its own satisfaction the consideration of these bids with all the detailed problems involved, it will advise the Board of Estimate of its action.

Proposition of the Hudson & Manhattan Railroad Company.
—After the receipt of bids on October 27th, and pending the examination of the bids submitted, a proposition was made by the Hudson & Manhattan Railroad Company for the equipment and operation of part of the Tri-Borough Rapid Transit system, with modifications as suggested by the company. In a communication dated November 18, 1910, and a supplemental communication dated December 3d, the company stated that, if the Commission could not find it possible to make a determination as to its proposition on or before December 15th, the company would be obliged to withdraw the offer. As the proposition from the Interborough Rapid Transit Company set forth hereinafter came to the Commission on December 5th, it was not possible for the Commission to make a determination as to the entire matter before December 15th, and on that date the Hudson & Manhattan Railroad Company filed a communication withdrawing its offer. The communications of November 18th, December 3d and December 15th follow:

LETTER SUBMITTING PROPOSITION.

NEW YORK, November 18, 1910.

HONORABLE WILLIAM R. WILLCOX, *Chairman, Public Service Commission for the First District, 154 Nassau Street, City.*

DEAR SIR:—With a view to solving the present aggravated rapid transit problem, we beg to submit, in lieu of the suggestions contained in our letter of the 12th of September, 1910, the following proposition:

- (1) That the city proceed forthwith to construct the Broadway-Lexington

Avenue Line as planned, extending from River Avenue, in the Bronx, to the Battery;

(2) That the Commission immediately lay out the following routes as additions to and extensions of the said Broadway-Lexington Avenue Line:

(a) Beginning at the intersection of Broadway and 33d Street, Borough of Manhattan (there connecting with the extension which this company is to build under Sixth Avenue and 42d Street to the Grand Central Station) and continuing southwardly along Broadway to 10th Street, there connecting with two of the local tracks of the Broadway-Lexington Avenue Line.

(b) Beginning at a point on the Broadway-Lexington Avenue Line in Church Street, between Liberty and Rector Streets, and thence under the Trinity Church yard to Wall Street, and thence under Wall Street and the East River, Montague Street, Borough Hall Park, Willoughby Street to Flatbush Avenue extension, there connecting with the new 4th Avenue subway now under construction, and using the tracks of said subway, including the DeKalb Avenue station, to Fulton Street, thence under Fulton Street to Lafayette Avenue, and under said avenue on the plan already adopted by the Commission to its intersection with Broadway, in the Borough of Brooklyn.

(3) That there be constructed under Broadway, between 33d and 10th Streets, and between Church Street and the intersection of Lafayette Avenue and Broadway, in the Borough of Brooklyn, a double track subway of the dimensions of the Broadway-Lexington Avenue Line, with stations at convenient points. We will build our Grand Central extension of sufficient dimensions so that, with a physical connection at 42d Street and Lexington Avenue, it may be operated as an integral part of the system herein proposed.

We enclose a map showing the Broadway-Lexington Avenue route with said extensions.

You will observe that the only new subway which the city will have to build, and not included in plans already adopted, is that portion under Broadway between 33d and 10th Streets and the connecting tracks at 42 Street and Lexington Avenue, New York, and that portion between Church Street, Manhattan, and the intersection of Willoughby Street and Flatbush Avenue extension, Brooklyn. The remainder of the Lafayette Avenue route, viz.: From Willoughby Street to Broadway, Brooklyn, is included in your Tri-Borough plans and you have already received bids for its construction.

The other link in the system is our Grand Central extension from Greeley Square to Lexington Avenue and 42d Street. This we propose to construct with our own money.

The carrying out of this plan will make it unnecessary to construct immediately the Canal Street subway, and the Broadway subway in Brooklyn. This will save an expenditure of approximately \$21,000,000, which can be applied to the new Wall Street, East River, and Lafayette Avenue route, which will cost about \$25,000,000, and be a transportation line of far greater utility and benefit than the Canal Street subway and the Broadway-Brooklyn subway, which, it seems to us, can, with advantage, be postponed for the present.

We estimate that this system of subways (taking into consideration the bids already received by you for the Broadway-Lexington sections and the Lafayette Avenue, Brooklyn, section) will cost the city for construction, including an arbitrary sum for real estate, easements, etc., but excluding tracks, signals and other equipment, etc., about \$100,000,000.

We estimate that it will cost for tracks, signals, powerhouses, cables, rolling stock, electrical equipment, etc., and the Grand Central extension, about \$50,000,000.

If the city will build the system herein proposed, we will agree to operate our Grand Central extension as an integral part of the same, and agree to furnish the said sum of \$50,000,000, or such sum as may be required for the purposes aforesaid, and to operate said system under a lease, for a period of years to be agreed upon, on substantially the following terms:

1. The net earnings resulting from the operation of said system shall be applied

FIRST. To the payment of interest and taxes on said \$50,000,000, or whatever sum is required for the construction of the Grand Central extension and for the equipment of said system, as aforesaid, the money therefor to be provided by this company and expended under the supervision of the Public Service Commission.

SECOND. To the payment of interest on the money expended by the city for the construction of said system.

THIRD. Should the net earnings be insufficient to pay said interest and taxes in full, a special account shall be kept of such deficiency and all surplus earnings thereafter shall be applied to the liquidation of said account, until the same shall be paid in full.

FOURTH. Thereafter all surplus earnings remaining after full payment of fixed charges of every kind, shall be divided equally between the city and this company.

FIFTH. An amortization fund of 1 per cent per annum shall be established and commence at some time after the beginning of operation of any part of said system, to be agreed upon.

SIXTH. A uniform five-cent fare shall be charged over said system, but not to include carriage over our present Hudson River Tunnel System, for which a separate fare will continue to be charged.

These are the fundamentals of our proposition. We do not attempt to go into details — these can be arrived at by conference and agreement.

It is, in our opinion, unlikely that there will be any deficiency of earnings from this system when completed and in full operation, to meet the entire interest charge and taxes on the money provided for its equipment and construction, but we assume the possibility of such contingency in considering a just and reasonable basis for an undertaking of such magnitude. It seems to us certain that if any deficiency does occur, it will be for the first year, only, after full operation of the system. We have arrived at this conclusion, not only from a careful consideration of the local traffic possibilities of the system itself, but also of the large amount of traffic which we can deliver to it through our Hudson tunnels at Church Street, in the downtown district, and at 33d Street and Broadway, in the uptown district.

Should this proposition be accepted, some revision and modifications can probably be made in the plans of some sections of the Broadway-Lexington Avenue route, as now prepared, which will result in a considerable saving without in any way delaying the beginning and completion of the work. We refer particularly to the plans for the proposed station adjoining the Hudson Terminal, where a larger use of our present facilities may be possible if we operate the line than if it is operated independently of us.

It is possible that an arrangement can be worked out whereby we can undertake to operate the 4th Avenue subway, now under construction, in Brooklyn, but we are not, at the moment, prepared to speak definitely. We may say generally, that we are willing to operate such extensions to this system as may, from time to time, be built, on plans that are satisfactory to us and on terms that may be agreed upon.

The advantages of our proposal seem to us self-evident. The city is put in position to promptly let contracts for the Broadway-Lexington Avenue route, between River Avenue and the Battery, and within a short time the plans for the proposed extensions can be prepared, bids taken and contracts let for construction. Therefore, actual work upon a new and comprehensive system of subways in the City of New York can be begun and finished within the shortest possible time, and with a minimum use of city credit.

This system will, in our opinion, satisfy, in a greater measure than any other that can be proposed, the transportation needs and demands of Greater New York. It takes care of both the East and West side traffic over the shortest possible routes and provides transportation to and through the districts where the people want to go. In any satisfactory rapid transit system it is essential that the line should penetrate those congested centers where business is to be had and where the public convenience is to be served

in the highest degree. This system also provides for a *continuous* train movement from the Bronx through the greatest business centers of New York City and Brooklyn to the intersection of Lafayette Avenue and Broadway, in the Borough of Brooklyn, for a single five-cent fare. The system also provides close connections with the Hudson Tunnels, by means of which the people of Brooklyn and of New York will be enabled to reach quickly and with a minimum of inconvenience the important trunk line railroad stations along the New Jersey water front. The people of these cities have to travel to neighboring states, and in any rapid transit system it is important that such trunk line connections be secured. This is not only essential to the usefulness of the system to the public at large, but also for the attraction of the necessary traffic to make the system self-supporting. The system we propose is susceptible of such extensions from time to time as may be made necessary by the growth of the Boroughs of Brooklyn and the Bronx.

Acceptance of this proposal will result in securing to the city a new system of subways embracing about 55 miles of track, and located on the very best routes for public convenience and earning capacity.

It will assure that healthy competition in local transportation through which alone the people can secure in quality and quantity and character of service what their needs and comfort imperatively demand. It will also provide a subway system superior in design, equipment and capacity to anything heretofore built. This system, with its 55 miles of track operated in connection with the Hudson Tunnels, with their 18 miles of track, making in all 73 miles, will prove the most perfect transportation facility yet devised for Greater New York.

We are confident that it will show sufficient earning power to permit, two years after beginning of operation, the release from the debt limit of all bonds of the city issued in aid thereof, so that the city will have this available credit for other subways or proper municipal purposes.

The Pennsylvania station is located only one block away from the West side line of this system, at Broadway and 33d Street. A moving platform will provide an excellent connection with the Pennsylvania station. At the same time, these plans do not interfere with the construction of the proposed 7th Avenue subway, nor do we desire to interfere with its construction.

To recapitulate:

1. Our plan offers the quick construction and operation of a new subway system, ideal in location and equipment, for the needs of the three Boroughs — Brooklyn, Manhattan, and the Bronx.

2. The city is to provide the money for its bare construction, estimated at \$100,000,000. We are to provide the balance required, estimated at \$50,000,000, and to operate said system.

3. The city secures a definite and comprehensive plan, an assured and responsible operator, and does not have to enter upon the uncertain sea of limitless expenditure and possible municipal operation.

4. Work can begin immediately, and relief can be had in the shortest possible time.

In view of the large financial undertaking which this company assumes in carrying out this plan, it is obvious that we cannot allow the proposition to remain open indefinitely, and that prompt action is essential.

We are prepared to give a bond in the sum of \$1,000,000 for the faithful performance of any contract that may be entered into between the city and this company.

Very respectfully yours,

HUDSON & MANHATTAN RAILROAD COMPANY,

By W. G. McADOO, *President*.

SUPPLEMENTAL LETTER FIXING TIME LIMIT

30 CHURCH STREET.

NEW YORK, December 3, 1910.

HON. WILLIAM R. WILLCOX, *Chairman, Public Service Commission for First District, 154 Nassau Street, City.*

DEAR SIR:—In our proposition of November 18th we said, among other things, "it is possible that an arrangement can be worked out whereby we can undertake to operate the 4th Avenue subway, now under construction, in Brooklyn, but we are not at the moment, prepared to speak definitely."

Since that time we have been making a thorough study of this situation. It presents difficulties which we have not yet been able to solve, but we still expect to do so. We think that this matter can be dealt with more satisfactorily when the Commission undertakes a general consideration of the operating contract we have proposed. We shall then be in position to submit definite suggestions, which can be embodied in any contract that may be made. We attempted, as stated in our original proposition, to give the fundamentals only. Naturally, many questions will have to be threshed out, and it seems to us that the common sense way to arrive at a quick conclusion is by personal discussion and negotiation.

An impression seems to exist in some quarters that our proposition necessitates delay in awarding contracts for those sections of the Tri-Borough Route for which the Commission has received bids. We do not see why such delay should result. Our proposal is for the operation, not construction, of the system, and the letting of contracts will help the situation by hastening the day of operation. If the Commission should determine to award contracts immediately, we would respectfully suggest, however, that action be postponed on those sections affected by the changes which will be necessary if our proposition is accepted. These changes will not, on the whole, delay progress of the work. For instance:

(a) Section No. 1 of Route No. 5, extending from Church Street, near Fulton, to the Battery, where some changes in station arrangements may be desirable, and where connections will have to be made with the proposed Wall Street Line to Brooklyn.

(b) Section No. 4 of Route No. 5, where it would be necessary to provide for a connection between the proposed Broadway Line and the proposed Broadway-Lexington Avenue Line. Should this connection be made, we would urge upon the Commission the necessity of establishing an express station at this junction point. We consider this very important, so that passengers may transfer at the point of divergence of these two lines from express to local trains.

(c) Section No. 7 of Route No. 5, covering the intersection of 42nd Street and Lexington Avenue, where some changes should be made in order to effect the proposed track connection between our 42d Street Extension and the Broadway-Lexington Avenue Line.

(d) Section 8 of Route No. 5, covering the 59th Street and Lexington Avenue station. These plans might be reviewed with the idea of making a more effective arrangement for exchanging traffic at this point with such lines as may cross the Queensboro Bridge, and thus provide better facilities for the people of Queens.

We do not want to appear as attempting in any manner to influence the action of your Commission in regard to these matters, as we realize that they are the subject of your own discretion and judgment. Our purpose is merely to suggest the wisdom of withholding contracts for those sections until a decision on our proposition can be reached, since the changes in question can probably be effected more economically and with greater advantage in advance of the letting of such contracts than afterwards.

We desire to emphasize the great benefit which will accrue to the city if the contract for the operation of this system is made in advance of construction. For the past eight years we have been engaged in the construction of

one of the most difficult and complicated pieces of tunnel and subway railroad in the world, and for almost three years we have been successfully operating it. The practical experience thus gained will, we are confident, enable us to make many suggestions as the work proceeds which will effect large economies in cost. This is practicable since, under the "unit bid" form of contract you have adopted, changes can be made without detriment to the progress of the work or complications with the contractor. Moreover, the experienced railroad operator can suggest many things, during construction, which will promote the efficient and economical operation of the system itself. This is of the highest importance.

In our proposition, submitted November 18th, two weeks ago, we said "In view of the large financial undertaking which this company assumes in carrying out this plan, it is obvious that we cannot allow the proposition to remain open indefinitely, and that prompt action is essential."

We trust that the Commission may find it possible to render a decision on or before the 15th of December, 1910, at which time we shall be obliged to withdraw the offer if nothing shall have been done. We do this because we feel that it is to the interest of the public and of all concerned that prompt action shall be taken.

Hoping that you will acquit us of any purpose to unduly hasten your decision, and that you will be assured that our desire is to help and not to hinder action, we are,

Very respectfully yours,

HUDSON & MANHATTAN RAILROAD COMPANY,

(Signed)

By W. G. McADOO, *President*.

LETTER WITHDRAWING PROPOSITION.

NEW YORK, December 15, 1910.

Hon. WILLIAM R. WILLCOX, *Chairman, Public Service Commission for the First District, 154 Nassau Street, City.*

DEAR SIR:—On the 18th of November, 1910, we submitted a proposition looking to the construction of a modified Tri-Borough System involving an expenditure by the city of about \$100,000,000, and offering to furnish private capital to the extent of \$50,000,000 for the equipment of said system and to operate the same under a lease for a period of years to be agreed upon.

At the time this proposition was made, the Tri-Borough Route had been laid out by the Public Service Commission and approved by the Board of Estimate and Apportionment, and bids for its construction with city money had been received. The Commission was considering the award of contracts for such construction. Grave doubts seemed to exist as to whether or not construction should be undertaken by the city when no responsible operator with the requisite \$50,000,000, needed for equipment, was in sight.

No company had come forward with a bid to equip and operate any portion of said system, nor was there, as we understood it, any proposition before the city looking to the construction and operation of any other form of rapid transit in the City of New York, notwithstanding the fact that an imperative need for increased transit facilities had, for years, existed. At the time we made said offer we supposed that the public authorities were committed definitely to the proposition that the welfare of the city made the construction and operation of an independent system essential, and that a proposal from a responsible corporation which would promptly bring about that result, would be welcomed.

Our proposition was made in absolute good faith. We hoped that we could be of service in promptly bringing about the desired result, feeling convinced, as we did, that the transit needs of Greater New York could best be met by the construction and operation of a new system of improved design and carrying with it such adequate provision for the future that existing conditions of congestion and overcrowding would not be likely to recur for many years to come.

No sooner had our proposition been made than suggestions began to emanate from many quarters that it was wholly a question as to what company

would make the best bid, translated into terms of money. The great fundamental of an independent system seemed to be subordinated to the matter of money cost.

If our assumption was correct that the duly constituted authorities believed that an independent system was the only safe and satisfactory solution of the problem, then it is obvious that competition between the Interborough Company and this Company for the construction or operation of an independent system is impossible, because the Interborough Company cannot supply the people of New York with an independent system at any price, while, on the other hand, the Hudson & Manhattan Railroad Company cannot supply a monopoly of rapid transit in New York at any price. The issue is simply an independent system on the one hand or a monopoly on the other. Hence, any bids submitted by the two companies are on entirely different and utterly incompatible bases, and there can be no real comparison between them, even as to the money cost involved. An independent system cannot be built for as little money as extensions of the present Interborough system, because the independent system requires the construction of a trunk line in addition to the branches, whereas the trunk line of the Interborough is already built and it is merely a question of the cost of constructing branches.

Upon mature consideration of the matter, we have become convinced that it is futile for us to attempt to unite with the city authorities in an effort to provide an independent system unless the city authorities are fully determined that an independent system is wanted for the city. In short, there can be no competitive bids between this Company and the Interborough on independence or monopoly. It seems to us essential that one policy or the other shall be decided upon before further progress can be made. If we should submit another offer under present conditions it would, we believe, simply provoke a long struggle which would result in delaying final action upon rapid transit, to the possible detriment of the community, since the problem is so acute that delay is, of itself, a serious injury. We are unwilling to participate in an indefinite struggle of this sort.

In our letter of November 10th, 1910, we said: "In view of the large financial undertaking which this Company assumes in carrying out this plan, it is obvious that we cannot allow the proposition to remain open indefinitely, and that prompt action is essential. We are prepared to give a bond in the sum of \$1,000,000 for the faithful performance of any contract that may be entered into between the City and this Company."

Subsequently, on the 3d of December, 1910, we again brought this matter to the attention of the Commission and said "We trust that the Commission may find it possible to render a decision on or before the 15th of December, 1910, at which time we shall be obliged to withdraw the offer if nothing shall have been done. We do this because we feel that it is to the interest of the public and of all concerned that prompt action shall be taken," and we said, further, that our purpose was not to "unduly hasten your decision" but to "help and not to hinder action."

Our proposition has been before the Commission for four weeks and no action has been taken. We quite understand that the proposition made by the Interborough Company on December 6, 1910 (subsequent to our offer), has operated naturally to delay action since that date, and we do not wish to be understood as implying any criticism of the Commission for its failure to act within the time limit fixed by us, but we do feel that we cannot consistently keep the offer open any longer.

As before stated, our proposition was made in absolute good faith. We believe that what we have done has not, in any case, been of injury to the public, but that, on the other hand, it may have been beneficial in injecting new life into the situation and in bringing to an earlier solution than would otherwise have been the case, this vital problem to the City of New York.

We beg to assure you of our appreciation of the courtesy and consideration you have shown us throughout this matter, and are,

Very respectfully yours,

HUDSON AND MANHATTAN RAILROAD COMPANY,
(Signed) W. G. McADOO,

President.

Propositions from Interborough Rapid Transit Company.—In its Report for 1909, the Commission set forth in full the proposition of the Interborough Rapid Transit Company of March 10, 1909, for Lexington Avenue and Seventh Avenue subway extensions, the third-tracking of the Second Avenue and Third Avenue elevated lines and the lengthening of the subway station platforms; the supplemental proposition of June 30, 1909, for Lexington Avenue, Third Avenue and Seventh Avenue subway extensions, the purchase of the Steinway tunnel and the third-tracking of the elevated lines, with extensions up Jerome avenue and across the Queensboro bridge, and the reply of the Commission of August 27, 1909, declining to accept the propositions. Thereafter, the company, under date of September 22, 1909, submitted a modified proposition, substituting Madison avenue for Lexington avenue. The Commission gave careful consideration to the modified proposition and on November 24, 1909, notified the company that it felt it necessary to decline to accept the proposition, for the reasons set forth in the communication.

The Interborough Company under date of June 10, 1910, submitted a proposition asking for a franchise to third-track the Second, Third and Ninth avenue elevated lines, with certain elevated extensions and a proposition to operate the Steinway tunnel under some satisfactory arrangement. On June 30, 1910, the Commission called the attention of the company to the fact that its propositions of 1909 had related to subway as well as elevated rights, and inquired as to whether the company intended making an additional proposition as to subways which might be considered in connection with the elevated portion. On July 5th the company sent a reply giving the status of its views as to subway improvements and on the same date sent an identical letter to the Mayor of the city, who, under date of July 6th, transmitted it to the Commission. On July 7th the Chairman of the Commission sent a reply to the Mayor, reviewing the various negotiations as to subway improvements and setting forth the attitude of the Commission on the views as expressed by the company in its identical letters of July 5th.

The Commission considered that the reply of the company of July 5th did not present any proposition as to subway improve-

ments and proceeded to give consideration to the elevated rights asked for. Forms of certificates were prepared and the public hearing required by law was held on December 23, 1910. These forms of certificates are now being given consideration by the Commission and will doubtless come up for formal action early in the year 1911.

In the meantime, due to the situation resulting from the receipt of bids and the general public discussion of the entire matter, the Interborough Rapid Transit Company, under date of November 17th, wrote that it desired to have the situation as expressed in its letter of July 5th regarded as a formal proposition for the consideration of the Commission and as representing what the Interborough Company was prepared to do. This was followed on December 5th by a detailed proposition for subway extensions.

The Commission, thus finally having before it a proposition of the Interborough Company, determined to accept the proposition, provided certain features not deemed satisfactory could be properly adjusted. Because of the expense involved in the preparation and adoption of preliminary resolutions and plans as to routes not then legalized, and the obtaining of the consents of property owners or of the Appellate Division in lieu thereof, as well as in the preparation of contract and detail plans, all of which would take a considerable length of time, it was deemed advisable to inform the Board of Estimate and Apportionment of the determination of the Commission and to ask that it inform the Commission if it had any objection to the general proposition. Accordingly, a communication was sent to the Board of Estimate and Apportionment, dated December 20th. This was done for the reason that the formal steps indicated above would require the final action of the Board of Estimate and Apportionment and it was believed that time would be saved if the board would indicate in advance what its general attitude might be on the proposition. If the board deemed the proposition acceptable, the Commission could then proceed with the steps indicated; if the board disapproved, the Commission could then save the time and expense involved in such proceedings and take immediate action upon the bids for the construction only of the Tri-Borough Rapid Transit system. At the end of the year the Board of Estimate had not taken action in the matter.

The various communications of 1910 referred to are in full as follows:

INTERBOROUGH ELEVATED PROPOSITION OF JUNE 10TH.

INTERBOROUGH RAPID TRANSIT COMPANY
165 BROADWAY

NEW YORK, June 10, 1910.

DEAR SIR:—Our further study of the rapid transit situation in this city persuades us that with the greatest despatch upon the part of the city authorities consistent with duty, some time must yet elapse before the actual construction of new subways can be commenced, and that it cannot reasonably be expected that such subways will be available to relieve the traffic congestion of this city within a period of from at least five or six years from the present time. This circumstance, the ever increasing pressure upon the existing subway and elevated lines, particularly the excessive crowding upon the East Side elevated roads, and the passage by the recent Legislature of a bill which, if approved by the Governor, will enable the improvement of the elevated lines to proceed without undue delay incident to the settlement of property damages, lead us to now propose the construction of the following elevated railroad improvements.

1. SECOND AVENUE LINE.

The completion of the third track from City Hall station to 129th Street. *Queens County Extension.* The construction of a two-track extension from the Second Avenue elevated line across Queensboro Bridge to the Queensboro Bridge plaza. This extension when constructed will enable us to operate through elevated trains from Long Island City to Brooklyn Bridge and South Ferry, and afford the citizens of Queens the benefit of free transfers, upon the payment of a single five-cent fare, to all parts of the elevated system in Manhattan and The Bronx.

2. THIRD AVENUE LINE.

The completion of the third track from Pearl and Chambers Streets to about 147th Street, with the privilege of thereafter extending the third track to the present terminus of the Third Avenue line at Bronx Park. This extension involves the construction of a new bridge across the Harlem River, and, because of the junction at the Harlem River with the Second Avenue line, the construction of a four-track line between the Harlem River and 145th Street.

We propose to build at this point, through private property and public streets, not at present occupied by elevated structures or covered by any franchises, a two-track connection from about 143d Street, through Willis and Bergen Avenues, to a connection with the West Farms division of the subway at or about Brook Avenue. This connection will enable a diversion of West Farms trains to the Second or Third Avenue line, and will relieve the pressure upon the Broadway and Lenox Avenue divisions of the subway.

Becker Avenue Extension. The extension of the Third Avenue line from Pelham Avenue through Webster Avenue, Gun Hill Road and White Plains Avenue to Becker Avenue as a two-track line, with the privilege of hereafter building a third track from the intersection of White Plains Avenue and Gun Hill Road to Becker Avenue, in order to provide for the better terminal facilities that will be essential to the satisfactory operation of the enlarged elevated system.

3. NINTH AVENUE LINE.

The completion of the third track from Rector Street to 155th Street.

Jerome Avenue Extension. The construction of a two- and three-track elevated road from about 147th Street and Eighth Avenue across McComb's Dam Bridge to about 162d Street and River Avenue, thence up River and

Jerome Avenues to about 194th Street, with the privilege of hereafter constructing a third track between 162d and 194th Streets. The portion of this line from 162d Street and Jerome Avenue north may either be built as an elevated extension to be jointly used by the new East Side subways, or may be built by the city as a subway extension under a traffic arrangement whereby it may be used by the elevated road. If built as a subway extension, work should be first begun upon it, so that the structure would be completed in time to operate in connection with the other elevated improvements hereinbefore referred to.

The cost of the construction and equipment of the above extensions may be roughly estimated at approximately \$30,000,000, and this, of course, will be entirely borne by the Manhattan Railway Company and its lessee, the Interborough Rapid Transit Company, with the possible exception of that part of the Jerome Avenue line north of 162d Street. In view of the very heavy special franchise taxes already paid by the Manhattan Company, aggregating on the basis of the last assessment \$46,000 a mile; the cost of acquiring additional easements from abutting property owners over virtually the whole system; the circumstance that this new franchise must be largely confirmatory of what are apparently valid and surviving grants already possessed by the company; and that the construction of the third tracks will not occupy any substantially greater portion of the surface of the streets than is now occupied by the existing structure; it would seem only fair that your Commission should fix the rental for the proposed new third-tracking grant at some very moderate sum, certainly not exceeding two per centum of the increased receipts from stations served by the new third track.

If the enabling act now before the Governor shall be approved and our present proposition should be accepted we should expect to begin work at once. The advantages of allowing us to immediately proceed may be summarized as follows:

(a) The third-tracking improvements can be put into service within approximately two years, thus bringing a by no means inconsiderable rapid transit relief to the city within at least three years less time than can be obtained by subway construction.

(b) The pressure upon the Third Avenue line, the travel on which is now more congested than upon any of the rapid transit lines in the city, will be relieved.

(c) If the third track be completed upon the Second and Third Avenue lines, it will be possible to divert a considerable number of the trains now using the West Farms division of the subway to the Second and Third Avenue lines. This in turn would give a superior rapid transit service to citizens of The Bronx, and would at the same time enable this company to materially increase the train movement on the Upper Broadway division of the subway; improve the congested conditions along Lenox Avenue; and thus give a more efficient service to the upper portion of Manhattan.

STEINWAY TUNNEL.

We are aware that in our earlier conferences you urged upon us the desirability of putting the Steinway Tunnel in operation at the earliest possible moment; and that many months ago we assured you that we would be glad to do so if proper legislation could be obtained. There was passed at the recent session of the Legislature a bill, now awaiting final approval, which will make possible the operation of this tunnel. If pursuant to the terms of this act, a satisfactory franchise can be obtained from the city authorities for its operation, we propose, in addition to the foregoing elevated improvements, to complete the construction of this tunnel and to operate it as a part of the existing subway, with open communication between the tunnel and the subway system at or near the Grand Central station. An additional line of rapid transit communication will thus be established, with free transfers upon the payment of a single five-cent fare between Long Island City and all parts of Greater New York reached by the existing subway lines.

We would suggest that you kindly arrange for as early a conference as possible to act on this application.

Very respectfully,
T. P. SHONTS,
President.

Hon. WILLIAM R. WILLCOX, *Chairman, Public Service Commission for the First District, State of New York, Tribune Building, New York City.*

June 30, 1910.

T. P. SHONTS, ESQ., *President, Interborough Rapid Transit Company, 165 Broadway, New York.*

DEAR SIR:—Since the receipt of your letter of June 10, 1910, relative to certain additions and extensions to the elevated lines in Manhattan and The Bronx, the Commission has been considering the terms of your communication. One point has not been referred to in the conferences that have been held upon which the Commission desires information.

In your previous communications regarding subway and elevated extensions you have stated that you would be unwilling to construct additional subway routes unless at the same time you were allowed to third-track certain of your elevated lines and make certain additions. Your letter of June 10, however, does not contain any proposition relative to subway extensions, and since its receipt nothing further has been received from you regarding this matter. Are we to understand, therefore, that you desire the Commission to consider your letter of June 10 without reference to subway extensions, or do you have in mind to make an additional proposition regarding subways which may be regarded in connection with the proposition now before the Commission regarding the elevated lines? Naturally, if you are about to make any proposition regarding subway extensions, the two matters should be considered with reference to each other.

Hoping we may be favored with an early reply, I am,

Yours very truly,

(Signed) W. R. WILLCOX,
Chairman.

PUBLIC SERVICE COMMISSION FOR THE FIRST DISTRICT, STATE OF NEW YORK
(Tribune Building, New York City).

JULY 5. INTERBOROUGH REPLY AS TO SUBWAY VIEWS.

INTERBOROUGH RAPID TRANSIT COMPANY
165 BROADWAY

NEW YORK, July 5, 1910.

Hon. WILLIAM R. WILLCOX, *Chairman, Public Service Commission for the First District, State of New York, Tribune Building, New York City.*

DEAR SIR:—Replying to your letter of June 30th, in which you inquire whether it was intended that our letter of June 10, relating to third-tracking the elevated lines and putting into operation the Steinway tunnel, should be considered without reference to subway extensions, I would say that we have never made our proposals to improve the express service upon the elevated lines contingent upon the grant of additional subway franchises. It was, therefore, our intention that our proposal of the 10th ultimo should be considered upon its own merits, without reference to any other proposal.

Replying to your further inquiry whether we have in mind to make any additional proposition regarding subways, I would say that as you have perhaps gathered as a result of our frequent conferences, since the Legislature eliminated the subway bonds from the debt limit of the city, thereby rendering impossible the enlistment of private capital for subway construction, we have carefully considered the subject of the operation by the Interborough Company of some natural extensions of the present lines, such exten-

sions to be built with city credit. The status of our present views upon this subject may be stated as follows:

We believe that the convenience of the travelling public in this city will best be subserved by the construction of the following natural extension to the present subway system:

WEST SIDE LOWER MANHATTAN AND BROOKLYN EXTENSION.

From Times Square through Seventh Avenue as extended and West Broadway to Liberty Street as a four-track road, and from Liberty street to the Battery as a two-track road, with a branch connecting with this extension from the intersection of West Broadway and Liberty street, under Liberty Street and East River to Pineapple Street in Brooklyn, and through Pineapple and Fulton Streets to a connection with the Brooklyn extension of the existing subway as a two-track road, and a further extension from the terminus of the Brooklyn extension of the existing subway at Atlantic Avenue through Flatbush Avenue and Eastern Parkway to Nostrand Avenue as a four-track road.

EAST SIDE UPPER MANHATTAN AND BRONX EXTENSION.

From about 35th Street through Park Avenue and private property at or about 40th Street to Lexington Avenue, thence up Lexington Avenue across the Harlem River to a point south of 149th Street as a four-track road; thence dividing, with a two-track connection to the West Farms branch of the existing subway, and two tracks up Mott Avenue through 153d Street and up River and Jerome Avenues to 194th Street, with the privilege of making three tracks between 162d Street and 194th Street; the extension through River and Jerome Avenues to be built as an elevated structure.

We would also suggest, as a matter for joint consideration, the construction of an elevated extension from Pelham Avenue, northerly up Webster Avenue to Gun Hill Road, easterly on Gun Hill Road to White Plains Road, northerly on White Plains Road to Becker Avenue; with the privilege of building a third track upon this extension from Pelham Avenue to Becker Avenue.

If the city will undertake to build these lines at its own cost, upon a plan of construction not materially exceeding in cost or elaboration the plan of the existing subways, the Interborough Rapid Transit Company stands prepared to equip and operate them as a part of its existing subway system, and to extend to the citizens of this town the inestimable benefit of two-track north and south lines upon the east and west sides of Manhattan with two Brooklyn extensions, and free transfers between all parts of the subway system for a single five-cent fare, upon substantially the following terms:

1. The gross operating revenue of the new extensions to be ascertained from the number of tickets sold at stations along the new extensions, or, if deemed advisable by either the city or the company, from the number of tickets deposited in the chopping boxes on the new extensions, or by such other methods as upon full consideration may be agreed upon between the parties.

2. The net profits of the company. to be arrived at as hereinafter provided, and to be disposed of as follows:

- (a) The city to take all net profits for the first five years from the time of beginning operations on any portion of the new subway extensions.

- (b) The net profit after five years to be equally divided between the city and the Interborough Company.

3. The net profits to be determined by making the following deductions from the gross revenue in the order named:

- (a) Maintenance of equipment. (It is proper to point out in this connection, however, that the maintenance of the equipment will be less if the new extensions are operated by the Interborough Company, by reason of the fact that certain economies can be effected by extending over the new system the benefits of our

present organization and our existing facilities, such as power stations, shops and terminals, which with some enlargement should be sufficient to take care of the old and new equipment.)

(b) Maintenance of way and structures. (To be ascertained upon the basis of actual cost plus a reasonable allowance for depreciation.)

(c) Cost of conducting transportation. (To be ascertained on a car-mileage basis.)

(d) General and administration expenses. (Likewise to be ascertained on a car-mileage basis.)

(e) Taxes, if any.

(f) The actual annual charges of the company for carrying the cost of equipment and providing a partial sinking fund of three-fourths of one per centum per annum to meet obsolescence. (This provision is intended to provide for the contingency that when at the expiration of the lease the equipment is taken over by the city, its then market value, notwithstanding its full maintenance, may be less than its present cost.)

(g) Interest on bonds issued by the city to defray cost of construction, plus one per centum per annum as a sinking fund.

4. If the gross revenue should at any time be insufficient to meet the gross expenses, as provided for in section three above, the annual deficit to be made good by the city.

It seems clear that the construction of these extensions, and their operation in connection with the existing subway so that for a single five-cent fare the public will have the benefit of both, must be of far greater service than the building of an independent route, under independent operation, with two sets of fares, and neither the right nor the opportunity to transfer. The cost, moreover, of the extensions herein suggested is estimated by the engineers to be approximately \$70,500,000, as against an estimated cost of about \$125,000,000 for the Broadway-Lexington Avenue system. Inasmuch as it is manifest that both the extensions herein suggested and the Broadway-Lexington Avenue system cannot be constructed, the advantage of constructing these extensions would seem to be apparent.

We would suggest that the terms of the lease should be at least coterminous with the unexpired portion of the term of the subway built under Contract No. 1; but that the city should have the right at any time after ten years to take back the extensions upon the reimbursement to the Interborough Company of the cost of equipment plus 15 per cent.

The foregoing are all suggestions regarding subway extension. You understand that you already have before you for consideration our letter of June 10th, covering proposed extensions up Jerome Avenue, and also up Webster Avenue to Gun Hill Road; easterly on Gun Hill Road to White Plains Road; and northerly on White Plains Road to Becker Avenue. If your Commission prefers, these extensions, in place of being made as elevated extensions, could be made subway extensions with trackage arrangements for elevated service.

Very truly yours,

(Signed) T. P. SHONTS,

President.

JULY 6. MAYOR SENDS COPY OF INTERBOROUGH LETTER.

CITY OF NEW YORK,
OFFICE OF THE MAYOR, }
July 6, 1910.

DEAR MR. WILLCOX:—I am sending you a copy of a letter which I have to-day received from the Interborough Rapid Transit Company for the building at once of extensions of its present subway system, namely, from 34th Street northward and through The Bronx to 194th Street, and from Times Square down town and by a tunnel under the East River to Pineapple Street, Brooklyn, and thence out to Prospect Park and out the Eastern Parkway

to Nostrand Avenue; in addition to putting third tracks on its elevated roads and completing the Steinway tunnel. The proposition of the company is that these subway extensions be built on the city's credit, and that after the payment of interest and one per cent for a sinking fund, and the other charges, the profits be divided equally between the city and the company. The third tracking and the Steinway tunnel are to be done on the company's own credit. The proposal that if the gross revenue should at any time be insufficient to meet the gross expenses the deficit should be made good by the city does not seem tolerable. The proposal as a whole may as well be submitted to the enlightened public opinion of the city, which will no doubt help us all to a correct conclusion. The cost will be about \$70,000,000, and the company claims that these subway extensions will give more public accommodation than the Tri-Borough route, and that therefore the city's credit should be devoted to building them first instead of the Tri-Borough route, which is estimated to cost \$125,000,000. Whether the city should put its credit into these extensions is the first question. The political platforms last fall seemed to demand that all subways be constructed in that way. The company claims that private capital cannot be got for the purpose, and it seems the doing of the work by private capital would entail a fixed charge of about \$1,000,000 a year more than if the city's capital be used.

Although the proposal is sent to me, permit me to say that the credit of getting the matter under way at last, so that the whole matter comes up for negotiation and consideration, is due to the continuous endeavor of you and your associates since your board was organized.

Very truly yours,

(Signed) W. J. GAYNOR,

Hon. W. R. WILLCOX.

Mayor.

JULY 7. CHAIRMAN WILLCOX REPLIES TO MAYOR.

July 7, 1910.

HON. W. J. GAYNOR, *Mayor's Office, City Hall, New York City.*

DEAR MR. MAYOR:— Your letter of July 6th, transmitting a communication from Mr. T. P. Shonts, president of the Interborough Rapid Transit Company, dated July 5th, came to hand duly. The Commission has also received a similar communication from Mr. Shonts.

The present letter of Mr. Shonts is remarkable chiefly as indicating the radical change of position of the Interborough Company from that taken in its recent negotiations with the Commission. After the rejection of the Interborough's latest proposal in November, 1909, many conferences were had with the president of the Interborough Company upon the subject of subway extensions. The lines which the Commission believe should be built and which practically became the basis of negotiations as to terms were as follows:

(1) *Seventh Avenue Extension.* A four-track line southerly from Times square via Seventh avenue and other streets to lower Manhattan.

(2) *Brooklyn Connection.* A two-track line connecting with the above through Maiden lane and other streets in Manhattan; under the East river, Pineapple street and Fulton street, Brooklyn, to connect with the present subway near Borough Hall.

(3) *Eastern Parkway Extension.* A four-track line to connect with the present subway through Flatbush avenue and Eastern parkway to Nostrand avenue.

(4) *Madison Avenue Extension.* A four-track line to connect with the present subway in Fourth avenue, through Madison avenue, under the Harlem river and into The Bronx; two tracks to connect with the Jerome avenue line and two tracks to connect with the West Farms division of the subway.

(5) *Moving Platform.* A line to be built from Times square to 14th street under Broadway.

(6) *Steinway Tunnel.* The line to be extended through 42d street to connect with the subway at or about Seventh avenue; such line to be turned over to the city as part of the extensions.

(7) *White Plains Avenue Extension.* A two-track elevated line to connect the present subway and to extend northerly through White Plains road to Becker avenue.

In the negotiation for the construction and operation of these lines the following terms and conditions ultimately came to be considered as the proper basis for an agreement:

(a) The cost of constructing and equipping these lines to be borne by the Interborough Company without the use of the city's credit. The city to provide necessary real estate except that used for terminals and storage yards.

(b) The ownership and title to all lines to be in the city.

(c) The Interborough Company to surrender its rights under existing contracts for the present subway to a renewal of such contracts for the renewal term of twenty-five (25) years. All lines, including the present subway and the proposed extensions, to fall into the possession of the city upon a certain date not more than fifty (50) years from the date of the completion of the extension.

(d) The city to have the right to terminate the contract for the operation of the above lines at any time after the expiration of ten years from the date of completion upon paying the company an amount not exceeding the cost thereof plus fifteen per cent and decreasing year by year. The city to purchase the equipment provided it should take over the extensions before the end of the lease.

(e) All net profits arising from the operation of the above lines to be divided equally between the city and the company.

(f) The company to operate any additional lines which may be constructed by the city as extensions to the system provided the operation of such extensions should not diminish the company's profits from its then existing system.

As you know, these negotiations were very nearly brought to a successful conclusion, but at the last moment the directors of the Interborough Company objected to the proposed terms. We have understood that the terms were satisfactory to the interests that the Interborough Company expected to finance these operations and that such interests have not changed their position.

A comparison of these routes and terms with the proposal just received shows that the Interborough Company has receded from the position taken in the recent negotiations with this Commission, and does not now offer as favorable terms as those previously made. The most striking points of contrast are as follows:

1. The proposed extensions are *now* to be built with city money. The company is not to provide any funds except for additional equipment. The Interborough Company has repeatedly declared by letter, by public advertisement and by personal announcement that it would provide the necessary money without asking the city for a single dollar.

2. The Board of Estimate and Apportionment has indicated that there will be presently available for rapid transit purposes less than \$60,000,000. The Interborough Company states that the proposed lines would cost over \$70,000,000. If the present proposal of the Interborough Company were to be accepted, the entire amount at present available for rapid transit purposes would be consumed. The utilization of the city's credit in this way would make impossible the construction by the city of any additional lines in Manhattan, in The Bronx, in Queens or in Brooklyn. The Loop Lines, the construction of which was begun by our predecessors, would have to remain unfinished and subway connections with the new bridges would have to be abandoned, thereby decreasing their value and utility from the transportation point of view.

3. The plan to utilize Lexington avenue from 40th street to the Harlem river has been before the Commission repeatedly, and as often it has been pointed out that the Commission would not permit the

Interborough Company, under the guise of extensions, to interfere with the development of a broad, comprehensive and logical scheme of rapid transit. The Commission suggested that Madison avenue should be utilized instead of Lexington avenue, and at one time the Interborough Company had accepted this suggestion. It is clear that if the Interborough Company were to use a portion of Lexington avenue the whole Tri-Borough route would be disrupted, and it would not be possible at any future time to use Lexington avenue for a through route. On the other hand, the use of Madison avenue would not interfere with any other route and would leave Lexington avenue available for other lines.

4. In several other respects the proposal is less favorable to the city than others that have been made. For instance, the company asks that it be guaranteed against loss. As you state, such a proposal does not seem tolerable. The company also asks that if the city takes over the road the company shall be paid the cost of the equipment plus fifteen per cent, apparently without regard to its condition and notwithstanding the fact that during the entire period of operation the company is to be allowed loss for depreciation before the city is to have any share of the profits.

In view of the enormous profits that the Interborough Company is making from the city-built and city-owned railroad, we think that the company is under corresponding obligations to serve the public by extending its lines and giving additional facilities, and we consider that the terms which were under consideration in the previous negotiations are generally in accord with that obligation.

We have understood that representatives of the city have been in consultation with the Interborough Company for some time, but after reading Mr. Shonts' letter, fear that they were not thoroughly acquainted with the history and scope of the previous negotiations.

While the Commission will give due consideration to this or other offers of the Interborough Company, we do not believe that extensions to the Interborough system should be allowed to interfere with the completion of the Tri-Borough route, a portion of which is now under construction. The Commission is nearly ready to advertise for bids, and if the contracts are approved as to form by the corporation counsel it will probably be possible to insert advertisements and begin the distribution of the plans in about two weeks. Do you and the other members of the Board of Estimate and Apportionment believe that, pending the completion of negotiations and of the public discussion to which you have referred, work on the Tri-Borough route should be suspended or that advertising for bids should be postponed?

The Commission desires me to thank you, and I desire to add my personal thanks, for the cordial appreciation in the last paragraph of your letter of our efforts to obtain additional rapid transit facilities. As you know, this has been one of the most important subjects with which the Commission has had to deal and you also know the efforts that the Commission has made to increase and improve transportation facilities.

Respectfully yours,

(Signed) WILLIAM R. WILLCOX,
Chairman.

NOVEMBER 17. INTERBOROUGH STATES THAT LETTER OF JULY 5 WAS A PROPOSITION.

NEW YORK, November 17, 1910.

DEAR SIR:—It has just come to our knowledge to-day that there seems to be some misunderstanding on your part as to whether or not my letter of July 5th, last, contained a definite proposition as to what the Interborough Rapid Transit Company was willing to do towards increasing the rapid transit facilities of this city.

As you will remember, this letter was written in response to a request for suggestions as to what the Interborough Company could do to relieve the

traffic congestion in this city, and I had supposed that the following paragraph from my letter could not be misunderstood:

"If the city will undertake to build these lines at its own cost, upon a plan of construction not materially exceeding in cost or elaboration the plan of the existing subways, the Interborough Rapid Transit Company stands prepared to equip and operate them as a part of its existing subway system, and to extend to the citizens of this town the inestimable benefit of two north and south lines upon the east and west sides of Manhattan with two Brooklyn extensions, and free transfers between all parts of the subway system for a single five cent fare, upon substantially the following terms:"

The proposition contained in this letter of July 5th was intended as a definite proposition for the consideration of your Commission, and correctly represented what the Interborough was prepared to do at that time, and what it is prepared to do now.

Very truly yours,

(Signed) T. P. SHONTS,
President.

HON. WILLIAM R. WILLCOX,

Chairman, Public Service Commission for the First District, State of New York, Tribune Building, New York City.

DECEMBER 5. INTERBOROUGH SUBMITS SUBWAY PROPOSITION.

INTERBOROUGH RAPID TRANSIT COMPANY,
165 Broadway, New York

December 5, 1910.

HON. WILLIAM R. WILLCOX, *Chairman, Public Service Commission for the First District, State of New York, Tribune Building, New York City.*

SIR:—At a time when the city must decide whether its capital available for subway construction shall be invested in an entirely new rapid transit enterprise, or be devoted to perfecting that system of subways the title to which is already vested in the city, it is proper that the responsible public authorities should have before them the most favorable proposal which the lessee of the city's existing subway lines, after full consideration, is able to offer. In our consideration of the subject, we have had in mind not only the routes necessary to afford an efficient service to the city, but changes in the present subway contracts and the additional obligations that the company will be called upon to assume.

The Interborough Rapid Transit Company, therefore, begs leave to submit the following proposition:

It proposes the construction of the following natural extensions to the present subway:

WEST SIDE LOWER MANHATTAN AND BROOKLYN EXTENSION.

From Times Square under Seventh Avenue as extended, Varick Street, West Broadway, and Greenwich Street to Liberty Street as a four-track road, and from Liberty Street to the Battery as a two-track road, with a branch from the intersection of Greenwich Street and Liberty Street, under Liberty Street and East River to Pineapple Street in Brooklyn, and under Pineapple and Fulton Streets to a connection with the Brooklyn extension of the existing subway, as a two-track road; with a further extension from the terminus of the Brooklyn extension of the existing subway at Atlantic Avenue under Flatbush Avenue and Eastern Parkway to Utica Avenue as a four-track road, and from Utica Avenue to Buffalo Avenue under Eastern Parkway as a two-track road; also a two-track extension from the existing subway at Lafayette and Flatbush Avenue, Brooklyn, under Lafayette Avenue to Broadway.

EAST SIDE UPPER MANHATTAN AND BRONX EXTENSIONS.

From about 35th Street and Park Avenue, under Park Avenue and private property at or about 42nd Street to Lexington Avenue, thence under Lexington Avenue and the Harlem River to a point south of 149th Street as a four-track road; thence dividing, with two tracks to a connection, east to Mott Avenue station, with the West Farms branch of the existing subway; thence two tracks under Mott Avenue, 153d Street, and River Avenue, to 157th Street, and from 157th Street over River Avenue to about 162d Street as an elevated structure. At 162d Street and River Avenue a connection will be made with the Jerome Avenue extension of the Ninth Avenue elevated line of the Manhattan Elevated Railroad.

A two-track subway extension, diverging from the proposed Lexington Avenue extension at about 138th Street, and running thence under private property, 138th Street, Southern Boulevard and Whitlock Avenue, to a point in private property south of Westchester Avenue; thence as a three-track elevated railroad over Whitlock Avenue and Westchester Avenue to Pelham Bay Park.

A two-track elevated extension from the West Farms division of the present subway at about 179th Street, over private property to a point between Bronx Park and the property of the New York, Westchester and Boston Railway Company; thence north over private property and public streets to Bear Swamp Road and White Plains Road; thence over White Plains Road to a connection with the proposed extension of the Third Avenue line of the Manhattan Elevated Railroad at a point north of the intersection of White Plains Road and Gun Hill Road.

The cost of constructing and equipping the foregoing lines is estimated at \$128,000,000. The Interborough Company hereby offers to build and equip the same for the sum of \$53,000,000, to be furnished by the city, the city to provide in addition the necessary easements and right of way, and the company to supply the funds necessary to defray the additional cost of construction and equipment, which, upon the basis of the above estimate, would amount to \$75,000,000. The work will be done as "extras" under the terms of the rapid transit contract of February 21, 1900, under which the original subway was constructed and is operated, except so far as the terms thereof may be modified by the provisions of this offer; and the lines when constructed and equipped will be operated by the Interborough Company as parts of the existing subway system, with a single five-cent fare and free transfers, upon the following terms:

1. The net profits from operations, to be arrived at as hereinafter provided, shall be disposed of as follows:

(a) The city to take all net profits for the first five years from the time of beginning operations on any portion of the new subway extensions;

(b) The net profits after five years to be equally divided between the city and the Interborough Company.

2. The net profits shall be determined by deducting from the gross revenue of the extensions charges for the following items, in the order named:

(a) Maintenance of equipment, including an allowance for depreciation;

(b) Maintenance of ways and structures, including an allowance for depreciation;

(c) Traffic expense and cost of conducting transportation;

(d) General and administration expenses;

(e) Taxes, if any;

(f) The actual annual charges of the company for carrying the cost of equipment and providing a partial sinking fund of three-fourths of one per centum per annum to meet obsolescence, and for carrying that portion of the cost of construction, not met by the funds contributed by the city and providing a sinking fund of one per centum thereon;

(g) Interest on bonds issued by the city to defray the cost of construction, plus one per centum per annum as a sinking fund.

3. The gross operating revenue of the new extensions shall be ascertained from the number of tickets sold at the stations along the new extensions, or, if deemed advisable by either the city or the company, from the number of tickets deposited in the chopping boxes on the new extensions or by such other method as upon full consideration may be agreed upon between the parties.

4. If the gross income in any year after providing for the charges above mentioned shall be insufficient to meet the interest and sinking fund upon the construction and equipment bonds issued by the Interborough Company, the deficit for such period shall be borne by the Interborough Company, and shall not be a cumulative charge against future earnings.

5. If the gross income in any year, after providing for all charges above mentioned, including interest and sinking fund upon bonds issued by the Interborough Company to defray the additional cost of construction and equipment, shall be insufficient to meet the interest and sinking fund upon the city's bonds, the deficit sustained by the city for such period shall accumulate and be a charge against the future profits before any division thereof shall be effected between the city and the Interborough Company.

6. The city will retain the right, now provided for by law, to take over the extensions at any time after ten years from the time that any portion thereof may be put into operation, upon paying to the Interborough Company, (a) the amount of its investment in construction over and beyond the \$53,000,000, supplied by the city, plus fifteen per centum, which sum shall decrease as the term continues, so that at the end of the full term of the contract under which the said extensions may be built as extras no amount will be required to be paid by the city, and (b) the then reasonable value of the equipment.

If this proposition be accepted we are prepared to immediately enter into contracts to carry the same into effect. After public bidding, the contracts will be awarded by us under the supervision of your Commission to responsible bidders for the construction of the lines in sections; and construction work thereupon will be commenced in each borough and upon all sections at once. Each part of the road as completed will be immediately opened for operation so that the outlying territory in Brooklyn and The Bronx will have the earliest possible relief and all other lines will be hurried to completion within an estimated period of five (5) years.

We have considered your suggestion that the present subway leases should be so altered that the terms thereof and of all extensions thereto operated by the Interborough Company should end at the same time. Contract No. 1, under which the Manhattan portion of the subway was built, provides for an original term of fifty years, with the right to renewal for additional term of twenty-five years. Contract No. 2, under which the line from the City Hall Park to Flatbush Avenue in Brooklyn was built, provides for an original term of thirty-five years, with the right to renewal for an additional term of twenty-five years. We are willing, if it can be legally arranged, that these contracts should be so modified that the original terms thereof and of all extensions built as extras under Contract No. 1 should be fixed at forty-nine years from the date of the completion of the extensions, and that the privilege of the renewal terms of twenty-five years should be cancelled.

The Interborough Company also offers to equip and operate, under a lease for a term equal to the unexpired term of Contract No. 1, under which the original subway was built, the Fourth Avenue Subway in Brooklyn, including extensions to Fort Hamilton and Coney Island, when completed, as part of the present subway system, for a single five-cent fare, upon the following terms:

The gross earnings of the Fourth Avenue division, of which a separate account shall be kept between the city and the Interborough Company, shall be ascertained from the tickets deposited at the stations upon the division.

From the gross earnings thus ascertained shall be deducted:

- 1.—(a) All station expenses;
- (b) Maintenance of way and structures;
- (c) Damages for accidents happening on the division.

2.—Other operating costs to be determined according to unit costs on the Interborough system, upon a car-mileage basis:

- (a) Conducting transportation;
- (b) Maintenance of equipment and depreciation;
- (c) Cost of power;
- (d) General and administration expenses;
- (e) Taxes, if any.

3.—After the payment of the foregoing charges, the actual annual charges of the company for carrying the cost of equipment and providing a partial sinking fund of three-fourths of one per centum per annum to meet obsolescence.

4.—From the balance of the income then remaining shall be paid interest and sinking fund upon bonds issued by the city to defray the cost of construction, upon that part of the road equipped and operated by the Interborough Company.

If the income shall be insufficient to meet the foregoing charges or any part thereof, the deficit shall be paid annually by the city, but that portion thereof which represents payments made by the city upon bonds issued by the city as hereinbefore provided for shall accumulate and be a charge against future profits, before any division thereof shall be effected between the city and the Interborough Company.

5.—The net profits remaining after providing for the foregoing charges shall be equally divided between the city and the company.

The right will, of course, be reserved by the city, under existing provisions of law, to supervise accounts relating to construction and operation, and to terminate the lease after ten years.

In the event that the foregoing propositions be accepted and incorporated in formal contracts, the Interborough Company will further agree, upon the same terms and conditions as hereinbefore set forth with respect to the operation of the Fourth Avenue Subway, or upon such other terms as may be agreed upon between the city and the company, to operate such additional extensions to the system herein outlined as may hereafter be constructed by the city; provided, however, that the Interborough Company shall not be called upon to operate any extensions the operation of which would result in a financial loss to the company, unless the city shall undertake to make good such loss.

The proposition herewith submitted is believed to embrace the following advantages over any other now before the city:

1. Citizens of Brooklyn, Manhattan, Queens and The Bronx may be transported upon the enlarged subway system, which may best be described as a four-borough system, to any point, including the shopping and theatre districts of Manhattan, for a single five-cent fare; whereas, under any other plan, to obtain a similar advantage in almost every case an additional fare of five cents would be required.

2. The extensions proposed can all be completed within a period of five (5) years from the time when the right to begin construction is given; whereas, under any other plan now before the city, a longer period for actual construction would not only be required, but the final completion would be further delayed by the inadequacy of the city's debt margin.

3. The plan above set forth is the only plan which limits the city's contribution to subway construction to the funds which the city now has available for subway purposes; thus leaving free for additional extensions, or for such other purposes as the city may determine upon, the funds which will be available in each succeeding year.

4. The city under the plan proposed would have in operation a harmonious subway system, with a through four-track line upon the East Side and a through four-track line upon the West Side of Manhattan, with suitable extensions to The Bronx and Brooklyn; whereas, under any other plan now under consideration the city would have a duplication of rapid transit service upon the upper and lower East Side of Manhattan, the present single line only upon the up-town

West Side of Manhattan, and no rapid transit line at all upon the West Side down-town section of Manhattan.

5. If competition with the Interborough Company be the prime consideration, it is believed that by the construction of the proposed extensions the city will be in a position to establish an independent competitive line at an earlier date than would be possible. Under recent provisions of law the West Side down-town extension and the East Side up-town extension in Manhattan, together with the Bronx and Brooklyn extensions, could be taken over after ten years from the time when the lines or any part thereof were put into operation. By the construction of a short cross-town line between Seventh Avenue and Lexington Avenue, in the vicinity of either 34th or 42d Streets, the city would then possess upon the island of Manhattan a subway system which would be the exact reverse of the subway system now operated by the Interborough Company, with the additional advantage of more comprehensive extensions to parts of Brooklyn and The Bronx, which in the meantime, by reason of these very extensions, will have developed into profitable territory.

It can hardly be expected that within an equal length of time the city's credit would so expand as to enable it to complete an entirely independent system to a point where it would furnish the city with equal competitive advantages. It is suggested, however, that the advantage of competition is not so apparent in the case of city subways as in other avenues of transportation. The usual advantages of competition are a reduction of transportation charges and an improvement of service. But there is no prospect, so far as fares are concerned, that for so extensive a service as would be furnished by either rapid transit system now under consideration less than five cents would ever be charged; nor is there any prospect that the present five-cent fare upon the existing system would ever be increased. Upon the other hand, so far as service is concerned, the Public Service Commission is vested with full powers of supervision, and can enforce by direct order the performance of that efficient service which under other circumstances is produced only as the result of active competition.

In conclusion, the Interborough Company begs to refer to its proposition to complete the third track upon its elevated system and to build certain elevated extensions in The Bronx to be operated in connection therewith and to complete and put in operation as a part of the subway system the so-called Belmont tunnel, which proposition has received the approval of your Commission. The cost of carrying out the elevated improvements is estimated at \$32,000,000, all of which will be furnished by the Interborough Company. The Belmont tunnel when completed will represent a total investment of approximately \$10,000,000, all of which, likewise, except \$1,500,000, to be contributed by the City toward the completion thereof, will have been furnished by the Interborough Company. It will therefore be perceived that the contribution which the Interborough Company proposes to make from its funds towards the establishment of a well-rounded rapid transit system in this city approximates a total of \$107,000,000, against a contribution of \$53,000,000 on the part of the City.

Respectfully submitted,

INTERBOROUGH RAPID TRANSIT COMPANY,

(Signed) By T. P. SHONTS,
President.

DECEMBER 20. COMMISSION ASKS BOARD OF ESTIMATE TO EXPRESS ITS ATTITUDE TOWARD PROPOSITION.

December 20, 1910.

To the Board of Estimate and Apportionment of the City of New York:

Under date of December 5th, the Interborough Rapid Transit Company submitted a proposition for extensive additions to its subway system, a copy of which is transmitted herewith. This proposition, provided certain features not now satisfactory can properly be adjusted, the Commission is prepared to accept.

In submitting this proposition, the Interborough Company stated that it was conditional upon favorable action upon its proposition to third-track and build additions to its Second Avenue, Third Avenue and Ninth Avenue elevated roads and to complete and put in operation the Steinway tunnel. This elevated proposition is generally treated of in its letter of June 10, 1910, a copy of which is also transmitted herewith. The matters embraced in the proposition of June 10th, with the exception of the one referring to the Steinway tunnel, have reached a point where they have been embraced in draft contracts upon which a public hearing is to be held on December 23d and which, when acted upon by the Commission, will be submitted to you for your approval and consent in accordance with the provisions of the Rapid Transit Act.

The fundamentals of the elevated railroad proposition are:

1. Lines.

(a) The third-tracking of the Second, Third and Ninth Avenue elevated lines.

(b) The extension of the Second Avenue line over the Queensboro bridge into the Borough of Queens.

(c) The extension of the Third Avenue line through Willis and Bergen avenues to a connection with the West Farms division of the subway at or about Brook avenue.

(d) The extension of the Third Avenue line along Webster avenue, White Plains Road and other streets to Becker Avenue or 241st Street.

(e) The extension of the Ninth Avenue line along River and Jerome avenues and other streets to Woodlawn cemetery.

2. Terms.

(a) The construction to be done and interest in property provided wholly at the cost of the Interborough Company and the Manhattan Railway Company. Such cost is estimated at about thirty-two million dollars (\$32,000,000).

(b) A term for the third-tracking equal to the term of the main franchise with the right reserved to the city to terminate such third-tracking right at any time after ten years from the beginning of operation and a term for the elevated extensions not to exceed eighty-five years, subject to termination after ten years.

(c) Rentals to be readjusted at the end of the first twenty-five years and thereafter at intervals of twenty years. The rate for the first twenty-five years to be 2 per cent of the increased gross receipts at certain stations in the case of the third tracking and 2 per cent of the gross receipts of the extensions.

(d) The Steinway tunnel to be turned over to the city without cost and to be operated by the Interborough Company as a part of the Manhattan-Bronx subway under Contract No. 1 with free transfers, the city to pay one and a half million dollars (\$1,500,000) for the extension of the tunnel, such amount to be repaid as rental, as provided in respect to the present subway in Contract No. 1.

Assuming that certain features of the proposition of December 5th can be adjusted and the details satisfactorily worked out, the Commission believes the acceptance of these general propositions for subway construction to be for the best interests of the city for the following reasons:

(1) The Interborough Company agrees to a provision obligating it to operate future extensions when and as constructed by the city, upon terms to be specified. This is a proposition upon which the Commission has consistently insisted and is of paramount importance if the city subways are to be city subways in fact, as well as in name. Under the present contracts the city could not compel the operation of additions to its subways without the acquiescence of the Interborough Company. If such a provision had been in Contract No. 1, for instance, steps could have been taken from time to time to relieve congestion by extensions to the present system. Accordingly, in the future the Commission will be able to lay out not only new systems, but also such additions to the present one as traffic conditions warrant.

For example, there could be added the Broadway line in Brooklyn, additional tunnels under the rivers and additional trunk lines, should their construction be deemed necessary.

(2) The provisions of the amendments to the Rapid Transit Act proposed by the Commission in 1909 will apply to the extensions, and the city will have the right to take them over at any time after ten years after operation begins by paying an amount to be ascertained as provided in the contracts, but not to exceed the cost to the Interborough plus 15 per cent, and to decrease during the term in accordance with the contract provisions. Under this provision in the case of the subway extensions, the city would have the power after the expiration of ten years from beginning of the operation to take over the extensions, and by the addition of a few connecting links, have an entirely distinct and comprehensive subway system.

(3) The Interborough is at once to commence construction in all boroughs, so that some of the lines may be connected with its present system and put into operation within a short time, thus affording the quickest measure of relief.

(4) Arrangements can also be made under the subway proposition for the levelling of the subway terms, so that the entire system, comprising both the present subway and the extensions, will revert to the city at the same time. It will be to the advantage of the city to have all parts of the system revert to it at one time.

(5) For the expenditure of \$53,000,000, plus the necessary amounts for real estate for right of way, the city will become the owner of additional subway facilities embracing 82.4 miles of single track, the total estimated cost of which for construction and equipment is \$128,000,000. The title to the extensions, however, without reference to the relative participation of city and private funds will be in the city in precisely the same manner as if built wholly with city funds.

(6) The Interborough proposition involves a single five-cent fare and free transfers. The subway extensions embrace practically all of the Tri-Borough system, with the exception of the portion of the Lexington Avenue route south of 42d Street, for which the west line down Seventh Avenue may be deemed a substitution, the Canal Street route, for which an under-river crossing is substituted, and the Broadway route in Brooklyn. The Jerome Avenue branch of the Tri-Borough is to be taken over as part of the elevated extensions. In addition to what is provided in the Tri-Borough, there are provided in this subway proposition the White Plains Road extension in The Bronx and the Eastern Parkway extension in Brooklyn, to be operated as a part of the present subway system.

(7) The Pennsylvania Railroad station will be connected with the main transit system in the city.

(8) In addition to providing improved transit facilities in Manhattan, The Bronx and Brooklyn, the elevated proposition embraces two important connections with the Borough of Queens—namely, by means of the Steinway tunnel and the Queensboro bridge.

When the Commission took office, the objectionable features of the Elsberg Bill of 1906 were still in effect and the city's borrowing capacity was too small to permit of important subway extensions with city money. To relieve the situation the amendments to the Rapid Transit Act proposed by the Commission were enacted in 1909, having, as important features, the provision for terminating contracts at any time after ten years from the beginning of operation and the provision for the equal division of profits, upon both of which the present Interborough propositions are based. In addition, an amendment to the State Constitution exempting self-sustaining rapid transit bonds from the debt limit was secured, which became effective during the present year. With this legislation the city was in a position to proceed with rapid transit extensions.

Because of its control of the subway lines in Manhattan, The Bronx and Brooklyn and of the elevated lines in Manhattan and The Bronx, the Inter-

borough Rapid Transit Company was in a position by needed additional construction to give the maximum relief and the Commission did its utmost to induce that company to submit a proposition consonant with the large return which it was receiving from the present city subway. These efforts were unsuccessful—the only proposition submitted by the Interborough Company prior to that herewith transmitted being impossible of acceptance. Unable to secure the co-operation of the Interborough Company, the Commission, after due opportunity for those interested in the subject to be heard, undertook the preparation of plans and forms of contracts for the so-called Tri-Borough Rapid Transit Railroad, which is made up of a number of routes from time to time submitted to and approved by the Board of Estimate and Apportionment. An attempt to enlist private capital in the construction of this system was unsuccessful—no bids being received on that form of contract when the time for their receipt expired on October 20th. A large number of bids were, however, received on October 27th for the construction of a major part of the system by sections at municipal expense. While these bids were under consideration, and while the matter of future rapid transit was, by reason of probable early action, a subject of widespread discussion, a proposition was submitted by the Hudson and Manhattan Railroad Company for the equipment and operation of the Tri-Borough system, with some modifications. That offer, which has expired by its own time limit, is an indication that an operator may be found to equip and operate the Tri-Borough system when constructed. If, for any reason, certain features of the details of the present proposition cannot be adjusted, and it be determined to construct the Tri-Borough system, it may be safely assumed that when the time comes there will be bidders to equip and operate it upon satisfactory terms.

The Commission will press the present negotiations with the Interborough Company to a conclusion and embody them in contracts and plans as rapidly as possible unless your honorable board should consider the proposition as generally outlined open to objections which would render your consent impossible when the forms of contracts are finally submitted. Although the principal portions of the routes are already laid out, certain connections have not yet been legalized and it will take considerable time to perfect them. The Commission respectfully requests that, if there are objections on your part, it be advised at as early a date as possible. If the present propositions are disapproved, the contracts for the construction of the Tri-Borough system, which are now awaiting award, can promptly be acted upon and construction work immediately begun. The Commission will be pleased to receive a statement of the position of your honorable board on this subject and will be ready at any time that may be convenient to confer with your honorable board or any committee thereof.

PUBLIC SERVICE COMMISSION FOR THE FIRST DISTRICT,

(Signed) WILLIAM R. WILLCOX.

Chairman.

Centre Street Loop.

During the year the construction of the Centre Street Loop was completed, with the exception of section 9-O-1, which comprises the terminal station to be located under the municipal building. As stated in Chapter I, no work has been done on this section since 1908. On December 19, 1910, the Commission received propositions from the Manhattan Bridge Three Cent line and from constituent companies of the Brooklyn Rapid Transit system, each asking for the right to operate the Centre Street Loop. These propositions were received so late in the year that no action had

been taken by the Commission at the end of the year. They are, in full, as follows:

THE MANHATTAN BRIDGE THREE-CENT LINE

215 MONTAGUE STREET

BROOKLYN, N. Y., December 19, 1910.

To the Public Service Commission for the First District.

GENTLEMEN:—The people of Brooklyn feel, and have so expressed themselves in many public ways, that the Centre Street subway loop which cost between eleven and twelve millions of dollars to build and which has now been for many months practically complete, should, at the earliest possible moment, be put to practical use and public service.

The Brooklyn Loop Lines which contemplated the operation of this four-track Centre Street subway in conjunction with the two-track subway through Lafayette Avenue and Broadway should not be abandoned. A connection between the three bridges will afford short-haul transit facilities, not as a substitute for the Brooklyn Loop Lines, but in addition to the same and as a relief to the projected through service.

The Manhattan Bridge Three-Cent line have considered this matter and are now prepared to operate the Centre Street subway loop carrying passengers for a three-cent fare from the Brooklyn terminus of each of the three bridges and from the Flatbush Avenue station of the Long Island Railroad to City Hall, Manhattan, thus receiving and discharging them at convenient points along the entire route in each borough.

The routes we propose to operate for a three-cent fare are as follows:

From the Brooklyn plaza of the Williamsburg Bridge to and across the same, entering the Centre Street subway loop at the Manhattan end of the Williamsburg Bridge, thence through that subway through and across the Brooklyn Bridge to its Brooklyn plaza.

Also from the Brooklyn plaza of the Williamsburg Bridge across it to Manhattan; through the Centre Street subway loop to and across the Manhattan Bridge and from that point following the route of the Manhattan Bridge Three-Cent line already laid out to the Flatbush Avenue station of the Long Island Railroad.

Also from the Brooklyn plaza of the Brooklyn Bridge across that bridge and by Centre Street subway loop to and across the Manhattan Bridge and over the route of the Manhattan Bridge Three-Cent line to the Flatbush Avenue station of the Long Island Railroad.

We should be willing to operate these combined routes at a three-cent fare, giving appropriate transfers at the several points of intersection.

There is not and never has been serious congestion at the Brooklyn end of the bridges across the East River. The heaviest travel toward Manhattan is spread through several hours of the morning, while at the end of the business day most of the workers in Manhattan wish to return to Brooklyn at practically the same time and this has resulted and still results in great congestion and discomfort for everybody at the Manhattan end of the bridges.

The plan which we now propose would help to eliminate these daily crushes by taking on passengers for Brooklyn at several stations all along the line of the Centre Street subway loop.

Again the vast number of Brooklyn people who daily must go to points in Manhattan within easy walking distance of the Centre Street subway loop must now, under the most favorable circumstances pay a five-cent fare and in many cases 7½ cents fare, consuming considerable time by surface transit in Manhattan.

The proposed plan will carry these passengers for a three-cent fare, and by operating in the Centre Street subway will do it in one-third to one-fourth of the time that surface transit consumes.

We are prepared to furnish the necessary cars, rails and other equipment and to place the road in operation on the following terms:

1. To take a lease of the Centre Street subway loop with necessary tracks and equipment on the Brooklyn, Manhattan and Williamsburg Bridges, capable by its terms of being terminated by the city at any time after five years upon payment of the value of the equipment plus 10 per cent.

2. This lease to provide that the earnings of the proposed line shall be applied annually in order as follows:

(a) To the payment of operating expenses.

(b) To the payment of taxes and bridge rentals.

(c) To the creation of a fund sufficient to cover depreciation and obsolescence.

(d) To the payment to the company of an amount equal to 6 per cent upon its cash investment.

(e) To the payment to the city of an amount equal to the annual interest and annual amortization payment upon all corporate stock of the city issued for the purpose of constructing the Centre Street subway loop with its stations and bridge communications.

(f) Any and all earnings not consumed in the above payments to be divided equally between the city and the railroad company.

The Centre Street subway loop and its connections with the Williamsburg and Manhattan Bridges are practically completed and this loop, together with the Williamsburg and Manhattan Bridges, could be put into service almost immediately with great benefit to the public. Therefore we are prepared to begin operations on this section of the proposed route immediately, should a lease be given to us, and we believe that cars might be actually running within a few months.

We should be willing also to enter into an agreement with intersecting roads in Manhattan and Brooklyn, whether surface or subway lines, providing for a free interchange of transfers upon an equal division of a five-cent fare.

We submit these suggestions for your consideration and if the same shall meet with your approval we are prepared to make application in due form for the rights and privileges above indicated, to be exercised either by this company or by a subsidiary company to be organized for the purpose, if for any reason that shall be found more desirable.

Yours respectfully,

MANHATTAN BRIDGE THREE-CENT LINE,

(Signed) FREDERICK W. ROWE,

President.

December 19, 1910.

PUBLIC SERVICE COMMISSION, *Tribune Building, New York City.*

GENTLEMEN:—We regret that the maps have not yet been returned to us. We will send the maps to correspond to this application within a day or so.

Yours respectfully,

MANHATTAN BRIDGE THREE-CENT LINE,

(Signed) F. W. ROWE,

President.

BROOKLYN, N. Y., December 19, 1910.

To the Public Service Commission for the First District, No. 154 Nassau Street, Borough of Manhattan.

GENTLEMEN:—The Brooklyn Heights Railroad Company, the Brooklyn, Queens County and Suburban Railroad Company and The Nassau Electric Railroad Company proposes and hereby makes application (subject to the execution of a formal contract with the city, containing the terms and conditions in detail) to operate, maintain and use the two easterly tracks in the so-called Centre Street subway loop between the Williamsburg Bridge and Canal Street for trolley car operation, and the Brooklyn Union Elevated Railroad Company proposes and hereby makes application (subject to the

execution of a formal contract with the city, containing the terms and conditions in detail) to maintain, operate and use the two westerly tracks in said Centre Street subway loop between the Williamsburg Bridge and the Brooklyn Bridge at or near Park Row, for elevated railroad operation upon the following terms and conditions, to wit:

1. That the city shall provide and furnish said subway and tracks complete for use, including stations, signals and all other appliances necessary for efficient operation by said companies respectively with their present equipment of trains and cars, with the exception that said companies shall provide and furnish a power substation, together with feeders and connections between it and the main generating station and between the substation and the subway proper.

2. That the city shall make such connection between the subway and the Williamsburg Bridge as may be required to accommodate the operation over said bridge and through the subway of the maximum number of cars and trains necessary for the elevated railroad service. The city shall provide four terminal tracks at Chambers Street, together with necessary platforms, for the exclusive use of the Brooklyn Union Elevated Railroad Company.

3. That the city shall make such connection between the two easterly tracks of the subway and the Delancey Street terminal of the Williamsburg Bridge as shall permit an extension of the operation of surface railroad cars between the said bridge and Canal Street over the said two easterly subway tracks, and the city shall provide all necessary terminal facilities at Canal Street for such operation and, in addition, suitable station facilities, including proper exits and entrances for passengers, at Canal, Walker, Hester, Grand, Broome, Mulberry and Elizabeth Streets, the Bowery and at or near Chrystie, Eldridge, Orchard and Essex Streets respectively.

4. That the contracts for operation and maintenance of the Centre Street subway loop shall run for a term of twenty (20) years from the time when operation of any part of the subway shall actually begin with the option or privilege to said companies, upon the expiration of the original terms, of a renewal or renewals of the contracts for a further term of not less than twenty (20) years.

5. That the right of said companies respectively to operate cars and trains across the Williamsburg Bridge and the New York and Brooklyn Bridge shall be extended upon the same or not more onerous terms than now apply, so as to make the life of such rights coterminous with the lives of the contracts for the operation and maintenance of said Centre Street subway loop, and of any renewals thereof.

6. The rate of fare charged for any passenger by any of said companies operating said Centre Street subway loop shall not exceed the rate lawfully chargeable by any of such companies for any passenger for one continuous ride from any point on its railroad, or of any road, line or branch operated by it or under its control, to any other point thereof, or of any connecting line or branch thereof within the limits of the City of Greater New York.

7. Said companies (in such proportions as shall be set forth in the contracts hereafter to be entered into) shall pay for the right and privilege of operating said Centre Street subway loop the following amounts:

First year	\$45,000
Second year	70,000
Third year	90,000
Fourth year	115,000
Fifth year	135,000
Sixth year	215,000
Seventh year	230,000
Eighth year	240,000
Ninth year	250,000
Tenth year	260,000

and thereafter \$275,000 a year, provided that if the Williamsburg Bridge shall not be strengthened by the city so as to permit of the operation of ten-car trains thereon before the beginning of the sixth year, the rental beginning with the sixth year shall be \$80,000 less each year than the rental hereinabove named for each of said succeeding years.

The above rental is based upon the Centre Street subway loop being complete for operation by the companies at the beginning of said terms of said contracts.

8. If during the terms of said contracts or any renewals thereof the city shall connect the two westerly tracks in said subway with the tracks for elevated railroad use on the New York and Brooklyn Bridge so as to enable through operation of trains of the Brooklyn Union Elevated Railroad Company over said New York and Brooklyn Bridge and into or through said subway, the rental paid for the privileges hereinabove described and for such additional privileges will be as follows:

First year	\$50,000
Second year	80,000
Third year	110,000
Fourth year	135,000
Fifth year	160,000
Sixth year	225,000
Seventh year	250,000
Eighth year	275,000
Ninth year	300,000
Tenth year	350,000

and thereafter \$375,000 a year, according to the year in which such additional privileges shall be effective.

If, however, during the terms of said contracts or any renewals thereof, it shall be impossible for the Brooklyn Union Elevated Railroad Company to use the said subway in connection with the New York and Brooklyn Bridge, by reason of the reconstruction of said bridge, or for any other reason, and such disuse shall continue for a period of six (6) months or more, then the rental for such year or years of disuse shall be reduced to the amount for said corresponding year or years set forth in subdivision Eighth above.

Each and all of these reductions shall be additional to the reduction of \$80,000 per year, provided for under a certain contingency in subdivision Eighth thereof.

Respectfully submitted,

THE BROOKLYN HEIGHTS RAILROAD COMPANY,

(Signed) By EDWIN W. WINTERS,

President.

BROOKLYN, QUEENS COUNTY AND SUBURBAN RAILROAD CO.,

By T. S. WILLIAMS,

Vice-President.

THE NASSAU ELECTRIC RAILROAD COMPANY,

By T. S. WILLIAMS,

Vice-President.

BROOKLYN UNION ELEVATED RAILROAD COMPANY,

By T. S. WILLIAMS,

Vice-President.

ADDITIONAL RAPID TRANSIT ROUTES.

There follows a brief statement as to the action taken during the year towards further legalization of routes heretofore laid out or of routes initiated during the year:

Nostrand Avenue Subway.—On June 22, 1910, the Commission adopted a resolution fixing July 1, 1910, as the date for a

public hearing on a proposed new subway route on Nostrand avenue, from Eastern Parkway to Sheephead Bay. The hearing was held on the date fixed, but on November 15, 1910, another resolution was adopted fixing November 30, 1910, as the date for another public hearing on the proposition to lay out the Nostrand avenue line as a subway from Eastern Parkway to Flatbush avenue, and as an elevated structure south of Flatbush avenue. The second hearing was held on the date set, and the matter is still under advisement by the Commission.

Utica Avenue Route.—By resolution adopted June 3, 1910, the Commission fixed June 16, 1910, as the date for a public hearing on the proposal to lay out a new rapid transit route on Stuyvesant and Utica avenues. The public hearing was held on the date fixed, and on September 19, 1910, the route and general plans of construction were adopted by the Commission and transmitted to the Board of Estimate and Apportionment for approval. The approval of that body was granted September 30, 1910, and the separate approval of the Mayor was given October 10, 1910. The route as laid out commences in Stuyvesant avenue at its intersection with Kosciusko street, and runs thence southerly through Stuyvesant avenue, crossing certain streets and private property into Utica avenue, continuing under Utica avenue as a four-track subway to a point between President and Carroll streets; continuing thence as a three-track subway to Crown street, where it emerges from the ground and continues over Utica avenue through Flatbush avenue as a three-track elevated structure. Provision is made for a connection at the northern end with the Brooklyn, Manhattan and Long Island City route, and for a spur from a point in Utica avenue near President street, continuing thence northerly and northwesterly under streets and private property to a point on the west side of Utica avenue between Union street and Eastern Parkway.

Fifty-ninth Street Route.—On May 13, 1910, a resolution was adopted by the Commission, fixing May 26, 1910, as the date for a public hearing on the proposition to lay out a new rapid transit route under Fifty-ninth street, from the North river to the Queensboro bridge, and continuing over the Queensboro bridge to the Queens plaza, there to connect with future extensions to be laid out in the Borough of Queens. The hearing was held on the date set, but no further action has been taken by the Commission.

Southern Boulevard and Whitlock Avenue Route.— This route was laid out in 1909, and the necessary consents of owners of more than one-half in value of the abutting property were presented to the Commission April 1, 1910.

White Plains Road Connection.— This route was laid out in 1909, and on May 28, 1910, counsel transmitted to the Commission the consents of thirty-eight property owners, representing less than one-third of the total assessed value of real estate along the route. The remaining consents have not been obtained.

Eastern Parkway Route.— A modification of this route, so as to include Livonia avenue, was taken under consideration late in 1909. A special committee, consisting of Commissioners McCarrroll, Bassett and Maltbie, had been appointed to report on the proposed modification. On January 28, 1910, the committee reported to the Public Service Commission, recommending the change of route. On May 13, 1910, a supplementary report was submitted by the committee. No formal action was taken by the Commission approving the modification.

New York Connecting Railroad.— A certificate was issued to this company by the Board of Rapid Transit Railroad Commissioners February 14, 1907. Its time for securing the consents of property owners was extended by the Commission from February 1, 1908, for a period of two years to February 28, 1910. On January 31, 1910, the company filed certain property owners' consents and requested a further extension of time in which to secure the consent of Leonora C. Beecher. On March 4, 1910, the Commission adopted a resolution extending the time to August 31, 1910. On July 20, 1910, the company filed the consents of L. C. Beecher and the New York & Queens County Railway Company, and requested a further extension of time in case it should turn out that sufficient consents had not been obtained. On October 31, 1910, counsel advised the Commission that the consents obtained by the company were sufficient. On November 1, 1910, the Commission ordered the consents filed and resolved that no further extension of time be granted.

Steinway Tunnel Route.— This route was laid out as Route No. 26 by resolution adopted by the Commission November 2,

1910. The route was approved by the Board of Estimate and Apportionment December 9, 1910, and by the Mayor December 14, 1910. This route as laid out commences at a point under Forty-second street in the Borough of Manhattan, about 300 feet west of the westerly side of Madison avenue, and runs thence easterly under Forty-second street, the East river, various streets and private property in Queens to a point in Van Alst avenue near Fourth street, where the tracks begin to rise to the surface, continuing thence northerly under Van Alst avenue to the surface at a point near Hunter's Point avenue. Provision is made for a loop at each end of the route. This route is laid out as a two-track subway, substantially coinciding with the route of the tunnel constructed by the New York & Long Island Railroad Company.

Hudson & Manhattan Railroad Company (McAdoo Tunnels).—A certificate was granted by the Commission May 4, 1909, to the Hudson & Manhattan Railroad Company, authorizing the extension of the company's tunnel railroad from Thirty-third street and Sixth avenue to the Grand Central Station. On May 11, 1910, counsel to the Commission advised the Commission that the company appeared to have obtained the requisite number of consents of property owners, and on May 13, 1910, the Commission ordered these consents filed. On September 27, 1910, the company filed a petition with the Commission for an extension of time of six months from October 28, 1910, in which to begin construction of this route. On October 4, 1910, the Commission adopted a resolution extending the time as requested, to April 28, 1911.

CHAPTER III.

RAPID TRANSIT SUPERVISION AND CONSTRUCTION UNDER WAY AND PREPARATION OF ENGINEERING PLANS.

In the previous chapter has been given a general survey of negotiations and propositions before the Commission as to additional rapid transit. There follows in this chapter a detailed statement of the work of the engineering department of the Commission in the supervision of the construction of rapid transit routes already under contract and in the preparation of engineering plans not only for such work but also for routes in contemplation.

Due to the urgency of completing plans for new subways, principally those comprising the Tri-Borough system — consisting of the Broadway-Lexington Avenue route, the Canal Street route, the Broadway-Lafayette Avenue route in Brooklyn, and subsidiary branches of this system in the outlying districts in the Boroughs of The Bronx and Brooklyn — a larger volume of work was done than has previously ever been undertaken. A detailed account of this work is as follows:

Contracts Nos. 1 and 2.—These contracts cover the subway at present in operation, known as the Manhattan-Bronx and the Brooklyn-Manhattan railroad. For platform extensions and additional entrances to stations of this subway now under construction, working drawings and estimates have been made, and shop drawings have been checked for these. The architectural plans for finish work have been made for the platform extensions, and the additional entrances to stations which were contracted for this year.

At Grand Central station drawings have been made for additional mezzanine platforms and station entrances, and to provide

for the widening of Forty-second street roadway, and also studies for the connection with the Steinway tunnel.

At One Hundred and Sixty-eighth street station it has been found necessary to provide a flat roof over the tracks opposite the extension of platform. Due to the blasting and other causes, the arch over the tracks has been so badly shattered that it was considered best to put in a steel beam flat roof and columns.

Some small changes in plans have been made also for the One Hundred and Ninety-first street station. It has been found desirable here also to put up a steel beam flat roof over the tracks in front of the platforms. The arch over the tracks was badly shattered by blasting, and it was therefore necessary to provide a new roof.

Architectural and steel plans have been completed for the new station at One Hundred and Eightieth street and Zoological park, where a recreation room for the employees was added, and also for the additional entrances to One Hundred and Eighty-first street station on the west side.

In the settlement with the New York Dock Company for the right of way taken through their property for the East River tunnel, it was agreed that the Commission should prepare plans for a pier to be built at the foot of Joralemon street, Brooklyn, over the tubes containing the tracks. These plans have just been completed, and some interesting problems were met with in making the structure sufficiently stiff. No piles can be driven over the tubes, and timber trusses are used to support the dock floor over them. Extra piles are used between and alongside of the tubes, and horizontal trussing is used to tie the structure together.

Brooklyn Loop Lines.—This subway loop, now practically constructed in Manhattan, with the exception of section 9-O-1, has been built to provide for a connection between the Brooklyn, the Manhattan and the Williamsburg bridges. For section 9-O-1 of this subway, designs have been made, remade and again revised on account of various plans proposed for this part of the line. At various times the station at Chambers street has been designed for four tracks and for six tracks. The latest design was completed, and working drawings made for the station with

four tracks, with the possibility of adding two tracks in the future. The design work on this section has also been complicated by the proposed construction of a municipal building over the subway and by the various decisions as to what the building lines would be at this point. These plans have finally been completed and the matter submitted to the Board of Estimate for approval of a modified contract arranged with the Bradley Contracting Company.

For other sections of this subway loop studies have been made for buildings to be supported on the subway structure.

Contract drawings and specifications for the complete equipment of this line, including the connection to Manhattan bridge, have been prepared under the supervision of Mr. H. N. Latey, consulting engineer. These drawings and specifications include the installation of tracks, roadbed, signals, electric lighting wires and fixtures for stations and tracks, ventilating fans and louvers, and telephone and automatic alarm signals.

Fourth Avenue Subway, Brooklyn.—In connection with section M B Ex.-1 of this subway, now under construction, which section begins at Nassau street and runs under Flatbush avenue extension to Willoughby street, it was necessary, in order satisfactorily to operate trains over the Loop line, and also the proposed Canal Street line, to change the location of the station shown at Tillary and Johnston streets on the contract drawings to a new location at Gold street, and slightly to modify the track alignment to the west of this station. General drawings were first made to show these changes, and thereafter the necessary working drawings were completed. Shop drawings have been checked and architectural plans have been made for station finish.

For section 9-C-1 of this contract, which section extends from Willoughby street along Flatbush avenue extension and Fulton street to Ashland place, many interesting questions of design have presented themselves in connection with this contract, due to the complicated track lay-out made necessary by the various connections planned for at this point. On this section there is the junction between the Fourth Avenue subway and the Lafayette Avenue line, each of which may have four tracks. Arrangement is also made for the future construction of a line down Wil-

loughby street, which is to make a tunnel connection with Manhattan, so that trains from the Lafayette Avenue and Fourth Avenue line may cross to Manhattan either by the Manhattan bridge or by a tunnel under the East river. Connection is also provided for between the present subway at Fulton and Flatbush avenues and the Fourth Avenue subway. These various connections call for a complicated series of crossovers between the tracks, and also that the tracks be placed on different levels, in order to avoid grade crossings. As a result of this, special details had to be furnished for nearly every bent of the section. Furthermore, on account of these various connections and curves, the width of the subway is greater than the width of the street, and considerable private property had to be taken. Maps for the condemnation of this property were made, and the subway was designed for carrying high buildings where it was under private property. This further complicated the construction.

The question of the support of buildings along the line of Fulton street has been quite difficult. On account of the high loads from the walls of the proposed buildings for a space of two and one-half feet wide along the building line, it has been considered advisable to place beams parallel to the building line, or nearly so, between the ordinary bents, in order to avoid expensive cantilevers for future building construction, to support this load. Inside of the lot, however, a concrete arch two feet thick at the crown has been deemed sufficient to support a uniform load of 3,500 or 4,000 pounds per square foot from the building. The loads for which the subway has been designed, where it passes under private property along Fulton street, are of sufficient magnitude to permit the construction on it of office buildings from twelve to fourteen stories in height on plots 100 feet wide. There are also elevated columns along the line of Fulton street which have to be supported by the subway.

While getting out the working drawings for section 11-AE-1, which extends from Fulton street to a point near Sackett street, under Ashland place, and under the present Interborough subway at Atlantic avenue and Fourth avenue, it was found desirable to revise the lay-out of the tracks. The reverse curve north of Pacific street station was cut out. This reverse curve was made

necessary by the low spur for the present subway, which was to provide for the extension of that line down Fourth avenue. Since the Fourth Avenue subway is being built as an independent route, this spur is unnecessary. An arrangement was made with the Interborough Company to cut out the spur where it obstructed the new line, and a great improvement in the alignment of the new subway resulted. This does not preclude the future construction of a connection between the two lines. On the Ashland place portion of this section, the subway was moved about ten feet to the west to avoid serious difficulties with the foundations of the Brooklyn Academy of Music, which extended outside of its building line into the street.

For sections 11-A-2, 11-A-3 and 11-A-4, extending from Sackett street along Fourth avenue to Forty-third street, the design of working drawings has been in progress during the year. On section 11-A-4, the track lay-out south of Thirty-sixth street was changed slightly to provide a connection to a future three-track subway down Fortieth street and New Utrecht avenue in place of a four-track subway. Other changes made in the design involved the omission of the underground passageways at the local stations, and the sub-station on sections 11-A-2 and 11-A-4 of concrete reinforced by longitudinal rods for brick and asphalt waterproofing below water, and also of rock asphalt over the roof of the stations for the brick in asphalt shown on the contract drawings. Working drawings and details of specifications in connection with the finish at stations and the drainage at intermediate points have been practically completed for these sections.

Broadway - Lexington Avenue Subway (Route 5).—The Broadway-Lexington Avenue subway, as planned, extends from the Battery up Greenwich street, Trinity place, Church street, Vesey street, Broadway, under private property and the present subway, Irving place and Lexington avenue, and crosses the Harlem river to Park avenue and One Hundred and Thirty-fifth street in The Bronx, where it branches, the west branch extending up Mott avenue and under private property to a point near One Hundred and Fifty-seventh street and River avenue, the east branch via Park avenue and One Hundred and Thirty-eighth street to a point near Alexander avenue. Thence extensions are pro-

posed, on the west side via River and Jerome avenues by an elevated railroad to Woodlawn road, known as the Jerome Avenue line, and on the east by a subway and elevated railroad through One Hundred and Thirty-eighth street, Southern boulevard, Whitlock avenue and Westchester avenue to Pelham Bay park, known as the Westchester Avenue line. The plans call for two tracks to Vesey street and Broadway, and four tracks thence to a point north of the Hudson river in The Bronx. The two branches are planned for three tracks each. As Lexington avenue and Irving place are only seventy-five feet wide, it was not deemed desirable to place the tracks on one level, because such construction would require interference with stoops and areaways from practically one end of the avenue to the other. In addition stations could not be built adequate to take care of any large traffic without taking private property. Accordingly a double-deck structure was decided upon with the express tracks on the lower level, and the local tracks on the upper level. The plans make the local tracks follow the grade of the street surface so far as the maximum grades and other conditions permit, but place the express tracks in tunnels, proper grades having received the principal consideration, except that at express stations tracks were brought as close to the surface as possible. Construction by tunnel has been found to be more economical than by the cut and cover method with the tracks close to the surface.

Battery Terminal.—The terminal at the Battery was designed to permit of very rapid handling of trains. The westerly part of the subway between the Battery and Morris street may be used by the future Seventh Avenue line. Prior to the construction of the Seventh Avenue line, the tracks and platform location can be utilized for a storage yard, the steel work having been arranged with this in view. Tentative plans also have been made for a storage yard in Battery park to hold about 100 cars.

Rector Street and Dey Street Stations.—At these points the subway has been widened into a three-track structure, with two island platforms with convenient crossovers, so that trains can be returned from either of them without continuing to the end of the line in Battery park, and also to provide additional tracks in the stations at these points.

City Hall Station.—The local tracks as planned terminate at this station on Broadway. In order to return the local tracks, a two-level station was planned, the local tracks occupying the upper level, and the express tracks the lower level. One advantage of having the express tracks low is that it keeps them as deep as practicable under the private property where they run from Broadway to Church street, particularly as part of this property is St. Paul's cemetery. In order to cause practically no disturbance to buildings or to the cemetery vaults, tunneling by the shield method was decided upon for this stretch. This station was designed for multiple tracks to provide for very heavy traffic. It was possible to do this, without taking private property, by widening the structure on the side toward City Hall park.

Canal Street Station.—Anticipating that this station would be one of the busiest along the line on account of the crosstown connection from Brooklyn, it was designed for large capacity. The width of the proposed structure is about 120 feet. As Broadway is only eighty feet wide, it became necessary to provide for the requisition of about forty feet of private property. Under this property the plans call for a structure strong enough to permit the erection of twenty-story buildings on it in the future. It was originally proposed to take care of these heavy loads on the structure by carrying the column foundations down to rock by means of pneumatic caissons. Borings, however, showed that rock at some points is more than 130 feet below water level, which prohibited the use of this method of construction. A satisfactory design was finally made with spread footings. At this station two express tracks were added to permit express trains to pass by without stopping at the platform.

Tenth to Fourteenth street.—At about Tenth street the line as planned curves away from Broadway under private property, and under the present subway at Fourth avenue, to a line which coincides with the extension of Irving place to the south. It is proposed that this extension of Irving place be made from Fourteenth street to Fourth avenue at about Twelfth street. Where the subway was designed to run under private property between Broadway and Fourth avenue, the structure was planned to permit of the future erection of twenty-story buildings.

Forty-second Street Station.— This was planned for an express station. To provide for the track expected at this point, a multiple track type of station was designed, three tracks and two island platforms being placed on each level. At both ends of the station “flexing” tracks were put in to connect the two levels, so that trains might be diverted from one level to the other, or returned in the other direction from this point. This arrangement made it possible to have two tracks in each direction for the express traffic. It is possible that a heavy two-way traffic may be developed here in the near future. It should be remembered that the New York Central has its terminal at this point, and that the Hudson and Manhattan tunnels, and also the Steinway tunnel, are likely to bring a lot of transfer traffic to this station. Therefore the structure was made as large and capacious as possible without taking private property.

One Hundred and Twenty-fifth Street Station.— This station was planned to act as a sorting point for trains to and from the east and west branches in The Bronx. In order to avoid the difficulties in handling the traffic which developed at the junction of the present subway at Ninety-sixth street station, a system of tracks was designed, which, at first sight, seems rather complicated. It was planned to bring the north-bound traffic, both express and local, to the upper level, and the south-bound traffic to the lower level. Having one-way traffic on each level facilitates the interchange of the local and express traffic, which is important, as it was considered desirable to sort the traffic to or from the branches, near the station south of the Harlem river. Placing the north-bound tracks on the upper level was considered most convenient, since the prevailing traffic disembarking at this station is north-bound, and this plan makes the climb the minimum for the larger number of people. Grade crossings were practically eliminated, and sidings were put in to permit a separation of local and express trains, and to give the latter free entrance into the station. Up and down escalators were planned for use at this station.

Harlem River Crossing.— The contract plans which were made to invite bids on the construction of the crossing under the Harlem river included two alternative types for the tunnel. One type, known as Type H, was for a form of construction similar to

that used in the construction of the present subway, which is a twin-tube cast-iron tunnel. The crossing for the Lexington Avenue subway was planned for four tracks, and two sets of cast-iron twin tubes were called for.

The other alternative, Type K, as shown on the plans, it was considered might be built by a method similar to that used in the construction of the Detroit river tunnel of the New York Central railroad. This consists, essentially, of four thin steel shells latticed together, one for each track, to be inclosed in concrete.

The offering of these alternatives for bidding was justified by the results, as a bid on the second alternative was received, which was about \$925,000 less than the lowest bid for the twin-tube cast-iron design. This was a saving of about 16 per cent on the cost of the section.

There was nothing in the specifications, however, which fixed on the method of construction — only the final cross-section being given — and it was expected that different contractors would employ different schemes.

One Hundred and Forty-ninth Street and Mott Avenue Station.

— This station was regarded as one apt to become a very important one in the future. The New York Central Railroad has very elaborate plans for the development of its station at this point, proposing to turn most of the suburban traffic here, because of the limited capacity of the Fourth Avenue tunnel in Manhattan. Should that be done, the subway stations at this point, of both the Tri-Borough line and the present subway, would get very heavy traffic. Accordingly, a loop was designed north of this point for the turning of trains so as to supply empty trains for the traffic, instead of turning them south of the Harlem river.

Canal Street Line (Route 20).— This line was laid out as one of a system of crosstown lines in Manhattan. It was planned to run from the terminus of the Manhattan bridge to the North river, with a spur also from the Williamsburg bridge. It being considered desirable to keep the longitudinal lines on the upper or first level, the construction of the Canal street line became a very difficult problem. The level of Canal street is not much above high water, and it is built in part on the line of an old stream. Any crosstown line that is built on this street will require exca-

vation below water in sand of various sizes, grading down to that of quicksand and other soft material. The prices bid for this work were very high. Among other difficulties in the design was the question of providing crossings underneath the present subway on Lafayette street, and also the Loop subway on Centre street. It is probable that pneumatic caissons will be required for the construction of this work. Provision was made so that, if built, a large amount of traffic can be handled on the line, and it will be readily possible to transfer from this road to the present subway and the Broadway-Lexington Avenue line at Broadway. It was expected that if other longitudinal lines are built, additional station facilities will be provided to make transferring possible.

Broadway-Lafayette Avenue Subway (Route 9-A-3 and 9-F.)

— This route was planned for a line on Broadway in Brooklyn from about Lafayette avenue down to the Williamsburg bridge, where it can act as a feeder for the Manhattan portion of the Loop line; and also a line on Lafayette avenue, which connects via Fulton street with the Fourth Avenue subway; and its trains would run to Manhattan via the Fourth Avenue subway over the Manhattan bridge, and other proposed extensions in the future. This was planned as a two-track line, but it was arranged so that additional tracks may be added in the future.

Of especial interest in this work is the type of reinforced concrete specified. The especial advantage of beam construction is that in preliminary work it may be readily used in the support of street surface, pipes, etc. When reinforced concrete is used, this cannot be done so readily, and the timbering, which must of necessity extend through the roof, complicates the locating of reinforcing rods and the finishing of construction when the timbering is removed. In the type of reinforced concrete shown for this work, the structure is arranged in 5-foot sections, with openings about one foot wide in each section to provide room for the temporary timbering that may be necessary. This difficulty of providing for street supports has, no doubt, been one of the chief objections to reinforced concrete work for a subway. It seems that with a section built as indicated above, so that the timbering does not interfere with the strength of structure, these objections are overcome, it being plain that reinforced concrete itself is cheaper than steel beam construction.

Fourth Avenue Subway Extensions (Routes 11-F-1, 11-F-2 and 11-B.).—Route 11-F-1 extends from Fortieth street and Fourth avenue through Fortieth street, New Utrecht avenue and Eighty-sixth street, Brooklyn, and was entirely redesigned and re-estimated, and a new set of contract drawings was prepared for a three-track structure, designed with the view of adding a track in the future. These plans were general only, made for letting for construction and operation. Detail plans are to be made for letting for construction only.

Route 11-F-2, extending from the end of Route 11-F-1 via Eighty-sixth street and Stillwell avenue, was entirely redesigned and re-estimated, and a new set of contract drawings was prepared for a four-track structure, it being considered desirable to build the entire structure at once, using the extra track for storage until wanted for regular use as running track.

Route 11-B.—Minor changes were made in the plans for this route, which extends down Fourth avenue to Fort Hamilton.

Jerome Avenue Line (Route 16). Westchester Avenue Line (Route 19 and 22).—These lines are extensions of the Broadway-Lexington Avenue subway. Part of the easterly branch on One Hundred and Thirty-eighth street, Southern boulevard and a portion of Whitlock avenue were planned for a subway. The remainder of Route 19 and 22, and also Route 16, was planned for elevated construction.

The construction of an elevated railroad was believed to be warranted in undeveloped territory, where there is necessity for rapid transit, because the expense of the subway type of construction is too great for the little traffic in sight. The noise in the operation of the ordinary type of elevated structure, however, soon becomes a nuisance. In order to avoid this, investigation was made as to the construction of a noiseless elevated railroad. The solid floor type was found to be most satisfactory, and a very economical design with a reinforced concrete floor was made. The details were worked up with the aid of the architectural force, so as to get as æsthetic a structure as consistent with practical demands. The design of stations, especially those at important points, was made with this end in view. Special examples of this were developed in the proposed stations at One Hundred and Seventy-seventh

street and Main street on the Westchester Avenue line, and at Mosholu parkway on the Jerome Avenue line, where very ornate designs were offered.

Proposed New Routes.—Studies were made in connection with the Fourth Avenue subway for a line to Staten Island, running from a point near Seventy-fifth street on the Fourth Avenue line under the Narrows to Tompkinsville, or thereabouts. The distance under water between this line and Staten Island is considerably less nearer Fort Hamilton, but the depth of the water is so great there that the construction difficulties become too serious.

Studies and route plans have been made for a proposed subway on Utica avenue, commencing at Kosciusko street and extending through Stuyvesant avenue and Ithaca avenue to Flatbush avenue.

Plans have been prepared for an alteration of the Eastern Parkway route in connection with the route proposed on Livonia avenue, which provides for four tracks on Eastern parkway from Flatbush avenue to Buffalo avenue in place of two tracks, as has been shown on previous plans.

Studies have been made for an extension of the present subway out on Flatbush avenue to the neighborhood of Prospect park, and providing for a terminal yard in that vicinity.

General drawings have been made, involving a study of the situation at the Queensboro bridge, for a rapid transit line extending from Battery park to Fifty-ninth street and thence into the Borough of Queens, via Greenwich street, West Broadway, Varick street, Seventh avenue, Fifty-ninth street and Queensboro bridge, on the assumption that the city may decide to extend Seventh avenue to connect with Varick street, and that Varick street may be widened.

Extensions to the Manhattan Elevated Railway.—Studies have been made in connection with extensions and additions proposed for the Manhattan Elevated Railway system, by the Interborough Company.

A line running off the Third Avenue Elevated in The Bronx near Pelham avenue, and extending over Webster avenue, Gun Hill road and White Plains road to Becker avenue.

Another is proposed from the terminus of the Eighth Avenue Elevated to connect with the River Avenue and Jerome Avenue

extension of the Tri-Borough line. Investigation has been made as to the most advantageous route for this connection. One leaves the Eighth Avenue line at about One Hundred and Forty-ninth street, extends up McComb's lane, and crosses McComb's bridge and approaches to East One Hundred and Sixty-second street; thence over East One Hundred and Sixty-second street to a connection with the proposed River Avenue Elevated. By the other plan, a two-track line crosses the Harlem river on the Putnam bridge, now occupied by the New York Central railroad, tunnels under East One Hundred and Sixty-second street to a point near Jerome avenue, and extends thence over East One Hundred and Sixty-second street to the junction on River avenue. Grade crossings are to be avoided by both of these plans.

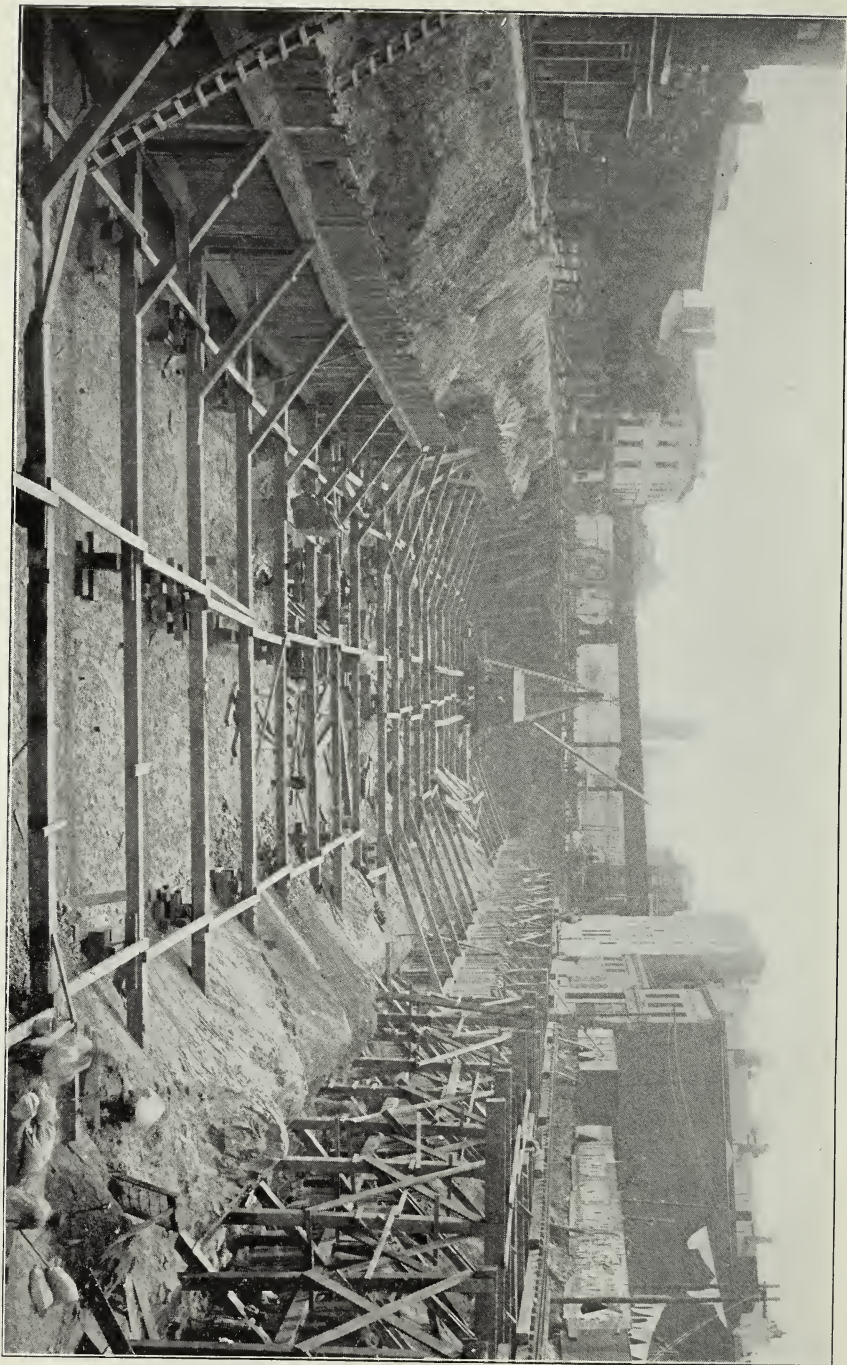
A connection is proposed between the Third Avenue Elevated and the Subway Elevated on Westchester avenue by a line running on Willis and Bergen avenues from about One Hundred and Forty-third street to Westchester avenue. This will enable subway expresses to run down Second or Third avenue to City Hall without passing by the One Hundred and Forty-ninth street station of the Third Avenue Elevated, which is a slow point on this line.

The Interborough Company has asked for a third track from City Hall to One Hundred and Twenty-ninth street on Third avenue, and also on the Second Avenue line; and also for a proposed connection of elevated tracks from the Second Avenue line to the Queensboro bridge, for which studies have been made. In The Bronx, a third track has been asked for to extend up to Pelham avenue. It is proposed by them to double-deck their Harlem River bridge, and have a four-track crossing instead of two-track, as at present. They asked, also, for a third track on the Ninth Avenue line from Rector street north. They propose to have intermediate express stations on these lines at important points, such as One Hundred and Twenty-fifth street, Forty-second street, Twenty-third street, and other points. To avoid widening the structure at some points, the express track is raised so that the express platform may be built over on the local tracks.

Moving Platforms.—Moving platform routes have been prepared for Thirty-fourth street, and also for Broadway between Tenth and Forty-second streets, and studies have been made for a



Beginning of excavation on Section M. B. Ex. 1.



Excavation west of Myrtle avenue.

lay-out of these lines. The great capacity of a moving platform seems to make it particularly advantageous for a route in a congested section such as Thirty-fourth street or lower Broadway.

SUBWAY CONSTRUCTION.

During the year the principal subway construction has been on the Fourth Avenue Subway, in Brooklyn, practically completing the subway loop in Manhattan; also additional work on the present subway, the Manhattan-Bronx railroad and Brooklyn-Manhattan railroad, consisting, chiefly, in lengthening the station platforms, providing additional station facilities, the building of some new stations, and the completion of the terminal station located on the East Side line at Zoological park; also the sewer work incidental to all of this construction.

This work is described in detail as follows:

Fourth Avenue Subway.—Work on the Fourth Avenue Subway began in November, 1909. The portion now under contract, about four miles in length, extends from Manhattan bridge through Flatbush avenue extension, Fulton street, Ashland place, and Fourth avenue to Forty-third street. It was let in six sections to four different contractors at an aggregate price of \$15,886,381.20, including \$999,617.55 for pipe galleries. Excavation is entirely in sand, or sand and gravel, with occasional boulders. Along Fulton street and Ashland place, where the line passes under private property, the necessary easements are acquired and the buildings in the way demolished. In Flatbush avenue extension open-cut excavation is permitted, but elsewhere the contractors are required to keep the excavation generally covered.

The following is a brief description of the work accomplished on each section at the end of 1910:

Section M B Ex.-1.—Extending from Nassau street along Flatbush avenue extension to Willoughby street. Smith, Scott & Company, contractors.

Actual excavation began March 18th, just west of Myrtle avenue. The excavation is made principally by means of an excavator equipped with a dragline bucket. The lower portion of the trench is then sheeted and the trimming excavation is handled by derricks traveling along the bottom. Excavated material is loaded into side-dump cars and removed by a tramway

along the side of the cut and under Manhattan bridge to a dock at the East river, where it is dumped into scows. A small amount of concrete for the sides and bottom of the structure has been laid west of Myrtle avenue.

The amount of excavation so far done is 54 per cent of the whole. Deliveries of steel have been continuing since March, and amount to 54 per cent of the whole. In terms of contract value, the amount of work done at the end of the year is 30 per cent of the whole.

The original contract price of \$1,121,851.10 for this section has been increased to \$1,152,309.10 under a modified agreement to provide for certain improvements in plan.

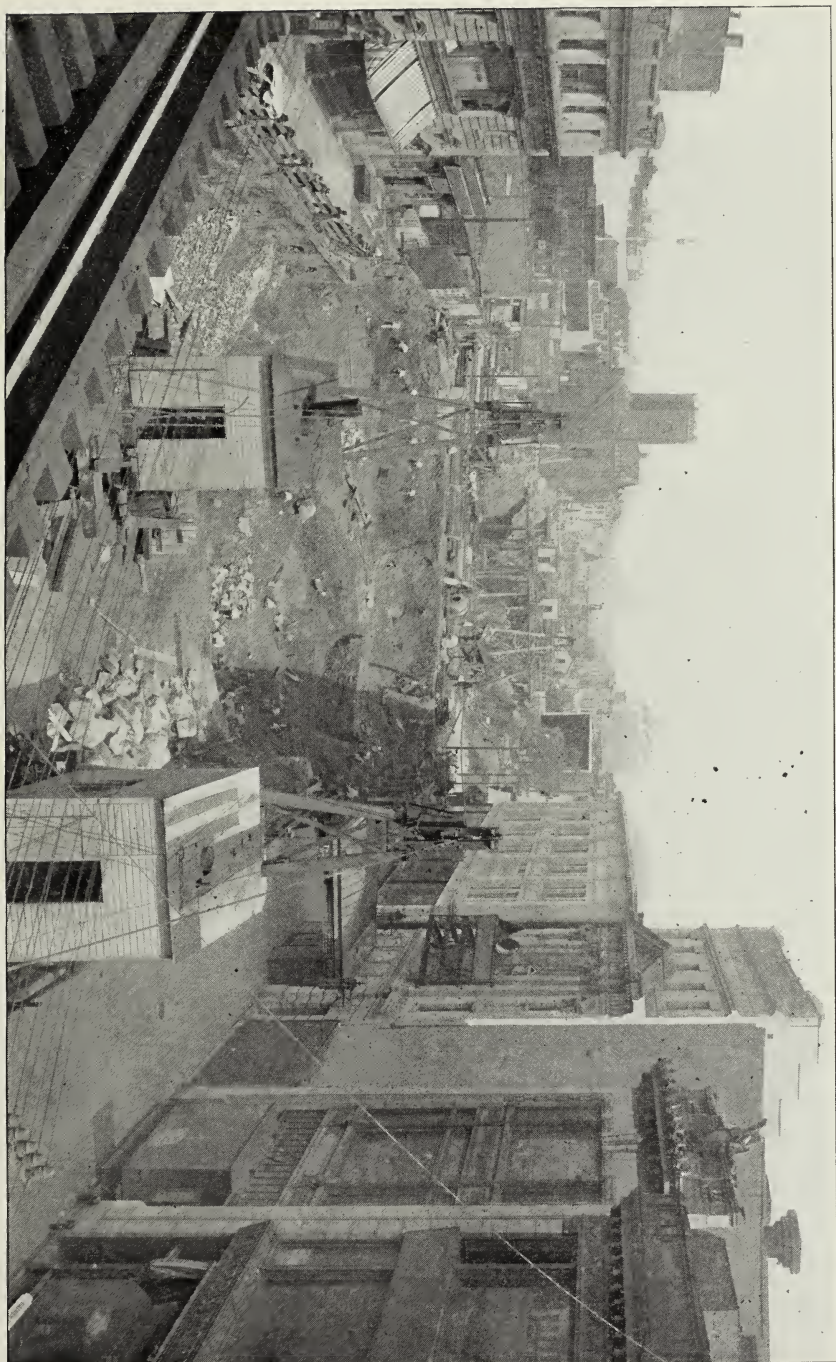
Section 9-C-1.—Extending from Willoughby street along Flatbush avenue extension and Fulton street to Ashland place. William Bradley, contractor.

Excavation on this section began November 13, 1909, with appropriate ceremonies, as marking the beginning of work on the Fourth Avenue Subway. The cut in the extension is practically complete, and that on Fulton street is begun. Excavated material is shoveled into buckets traveling by overhead cable-way to dumping platforms situated at street intersections, and thence teamed away. Most of the material is hauled to docks and there disposed of by scows, but some of it is used for filling in the contractor's yard at Fourth avenue and Third street. In connection with the excavation it has been necessary to underpin three buildings fronting on the extension. Ground water was encountered five feet below mean high water level. A small amount of concrete has been laid for the bottom of the structure near DeKalb avenue.

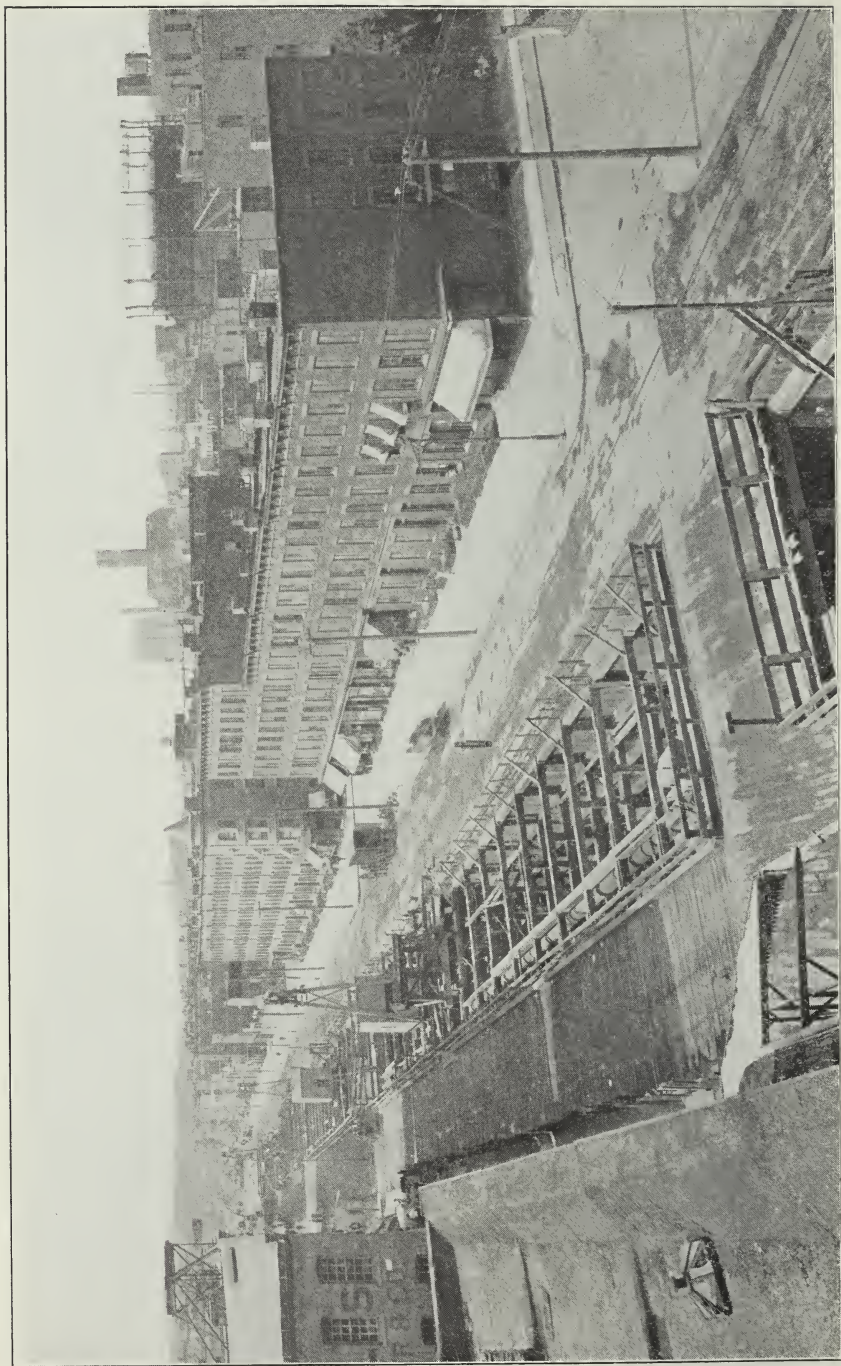
The amount of excavation so far done is 48 per cent of the whole. Steel deliveries began in August and now amount to 31 per cent of the whole. In terms of contract value, the amount of work done at the end of the year is 22 per cent of the whole.

Section 11-E-1 and 11-A-1.—Extending from Fulton street along Ashland place and Fourth avenue to Sackett street. William Bradley, contractor.

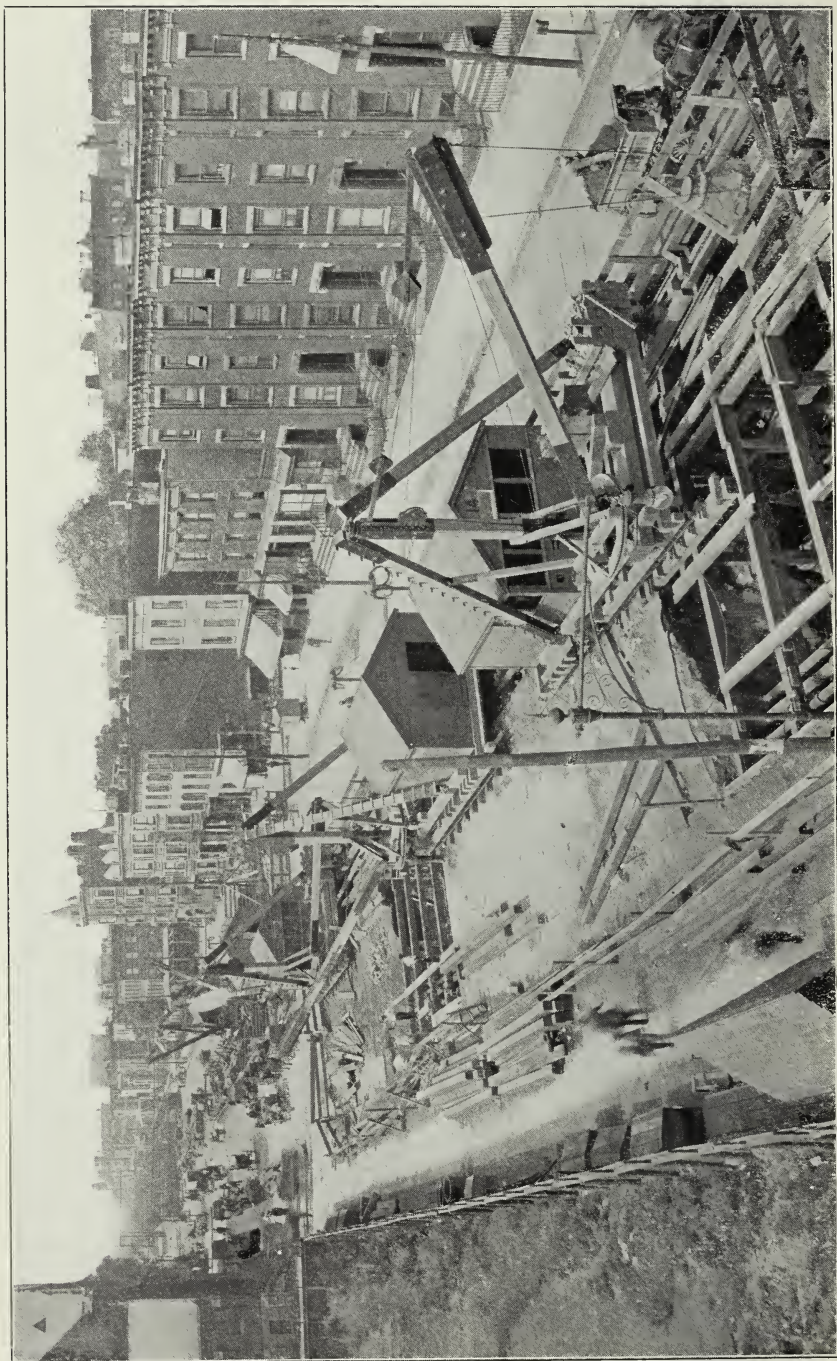
Excavation began December 24th at Degraw street, and at present it is practically complete on the east half of Fourth avenue between Atlantic avenue and Sackett street, including the



Excavation west of Fulton street.



Excavation south of Warren street.



Excavation south of Seventh street.

excavation for the pipe gallery on that side. Between Hanson place and Butler street it will be necessary to provide for the flow of a 15-foot storm-water sewer now situated on the west side of Fourth avenue within the subway lines. After completing the east track of the subway between these points, it is intended to turn this storm flow through it until such time as permanent sewer improvements, to be made by the borough, will eventually divert the flow altogether. A small amount of concrete bottom has been laid on Fourth avenue. The excavation methods on this section are the same as those described for section 9-C-1.

The amount of excavation so far done is 33 per cent of the whole. Steel deliveries began in August and now amount to 27 per cent of the whole. In terms of contract value, the amount of work done at the end of the year is 17 per cent of the whole.

Section 11-A-2.—Extending from Sackett street along Fourth avenue to Tenth street. E. E. Smith Contracting Company, contractors.

Excavation began January 5th, since which time it has progressed principally for the two westerly tracks. Excavated material is hoisted by traveling stiff-leg derricks directly into wagons and then teamed to a dock at the foot of Sixth street. The derricks used for this purpose are twelve in number, and are electrically operated. Much of the excavation is in ground originally filled in over a salt marsh, and considerable quicksand is encountered.

The amount of excavation so far done is 38 per cent of the whole. Steel deliveries began in June and now amount to 83 per cent of the whole. Considerable concrete has been laid for the sides and bottom of the structure at various points, amounting to 15 per cent of the whole. In terms of contract value, the amount of work done at the end of the year is 35 per cent of the whole.

The original contract price of \$2,490,225.30 for this section has been reduced to \$2,426,750.30 under a modified agreement to provide for the omission of under track passages at stations and certain changes in waterproofing.

Section 11-A-3.—Extending from Tenth street along Fourth avenue to Twenty-seventh street. Tide-Water Building Company and Thomas B. Bryson, contractors.

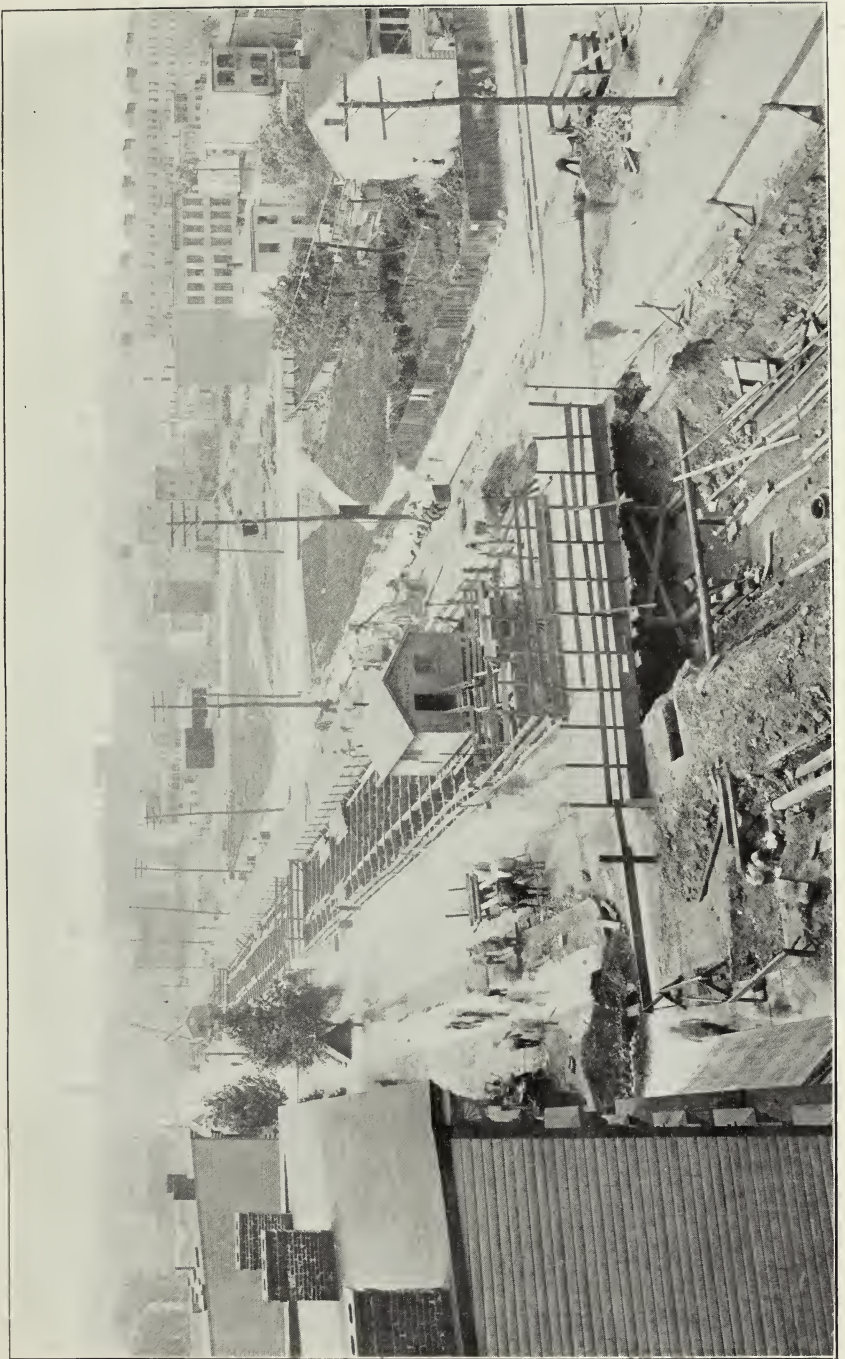
Work began the first week in February reconstructing sewers, and the main excavation began April 25th. The contractor's method of procedure is ingenious and considerably different from those heretofore employed. In brief, the method consists in the preliminary removal of all pipes, ducts, and sewers within the subway lines to temporary or to final reconstructed positions outside the subway lines, thus leaving the street unobstructed for seam-shovel excavation. The sides of the cut are almost self-sustaining and so no sheeting is used except a short length at the bottom braced by rakers. Material is excavated principally by means of a steam-shovel, and that for the sewers and the trimming of the main excavation is done by locomotive cranes. Material excavated from the cut is loaded into side-dump cars and hauled through the cut by a tramway in Nineteenth street to a dock at the water-front, where it is disposed of by scows. Considerable concrete has been placed, and the structure is practically complete between Tenth and Twelfth streets. Collapsible steel forms are used, and a section about forty feet long, the entire width of the subway, is roofed over at one operation.

The amount of excavation so far done is 81 per cent of the whole; concrete places is 13 per cent of the whole; and steel deliveries, which began in July, now amount to 41 per cent of the whole. In terms of contract value, the amount of work done at the end of the year is 40 per cent of the whole.

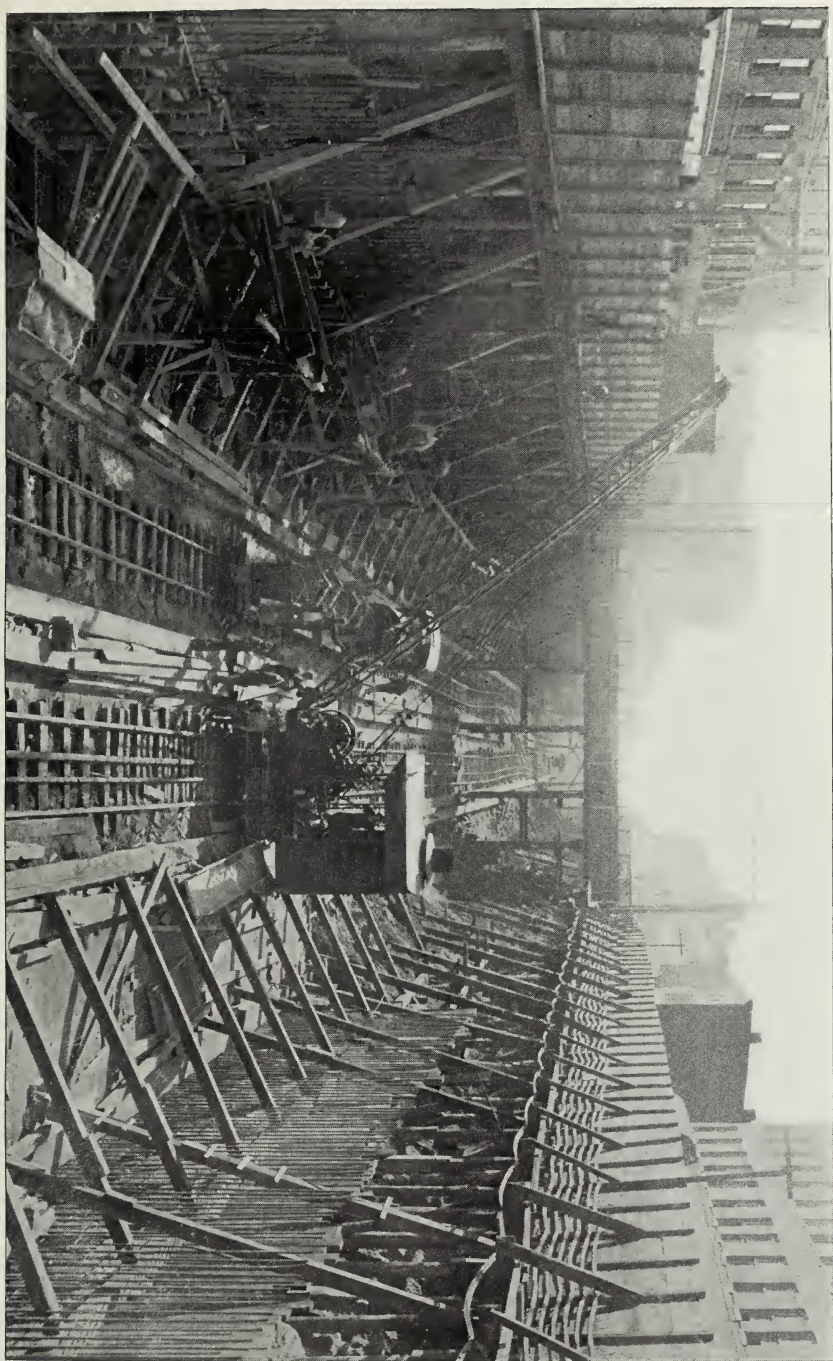
Section 11-A-4.—Extending from Twenty-seventh street along Fourth avenue to Forty-third street. E. E. Smith Contracting Company, contractors.

Excavation on this section began December 10, 1909, at Twenty-seventh street. The methods in use on this section are the same as those described for section 11-A-2. Much of the excavated material is being used to improve city property along the water-front near the foot of Thirty-second street. Considerable concrete has been placed, and a portion of the subway, about 400 feet long, near Twenty-eighth street, is practically complete.

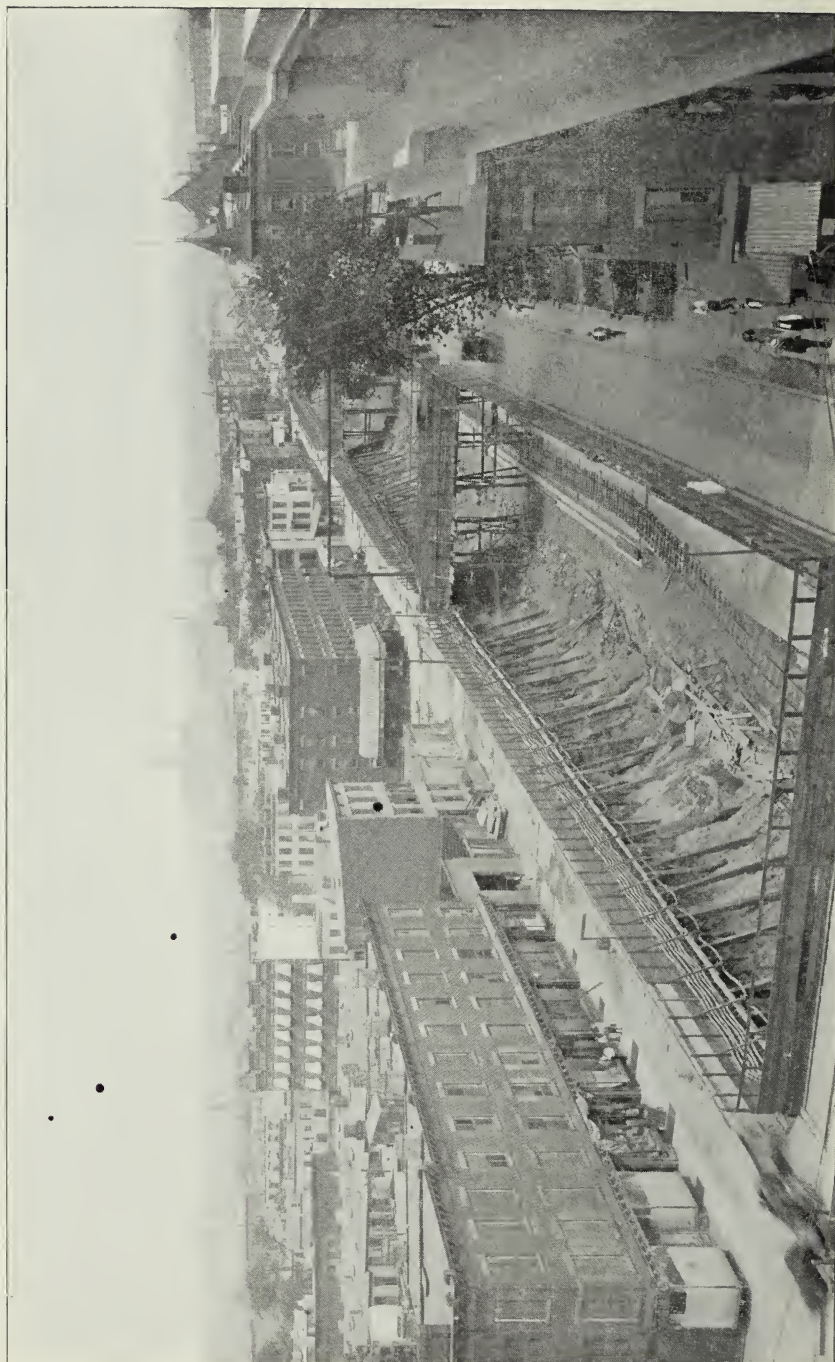
The amount of excavation so far done is 58 per cent of the whole; concrete places is 19 per cent of the whole; and steel deliveries, which began in June, now amount to 32 per cent of the whole. In terms of contract value the amount of work done at the end of the year is 35 per cent of the whole.



Excavation south of Twenty-sixth street.



Construction near Eleventh street.



Excavation north of Thirteenth street.

The original contract price of \$2,982,647.80 for this section has been reduced to \$2,931,122.80 under a modified agreement to provide for certain changes in waterproofing.

Brooklyn Loop Lines.—Construction work on three of the five sections comprising the Brooklyn Loop Lines had been completed in 1909. During the year the work was necessarily confined to the unfinished sections 9-O-1 and 9-O-4. The last mentioned section was completed during the year, but no construction was prosecuted on section 9-O-1, for the reason that operations in connection with the construction of the municipal building within the limits of this section of the work precluded the complete construction of this subway, and the only work which could be done on this section was limited to necessary maintenance of the street surface, elevated and surface tracks, and pipes and other sub-surface structures.

The progress of work on the various sections is as follows:

Section 9-O-1.—Extending through private property and Centre street, from Park row to Pearl street. Bradley Contracting Company, contractors.

As noted in previous reports, work was suspended on this section on May 13, 1908, to permit the sinking of the caisson foundations for the municipal building. The construction of these foundations was begun July 11, 1909, and completed about September 19, 1910, at which time the erection of the steel framework of the superstructure was begun. In all probability the construction of the subway station within the building will be delayed for a further period of four months, until the steel work of the building is erected to the street level.

Upon reconsideration of the matter of constructing a six-track instead of a four-track station within the municipal building, it was decided that the interests of the city will be best conserved if a four-track station is constructed in such manner as will permit the construction of two additional tracks at some future time, should the demands of traffic along this route at any time necessitate the provision of such additional tracks. Modifying drawings were accordingly prepared providing a four-track station, so constructed as to admit of a two-track extension down William street; an extension of the two westerly tracks across the Brook-

lyn bridge, and the possible construction of two additional terminal tracks. For present purposes, the modifying plans contemplate the construction of all the tracks and platforms on the same level, but over the two westerly tracks the roof clearance line is increased by an amount which will admit of raising these tracks to such higher grade line as is necessary for an approach to the Brooklyn bridge.

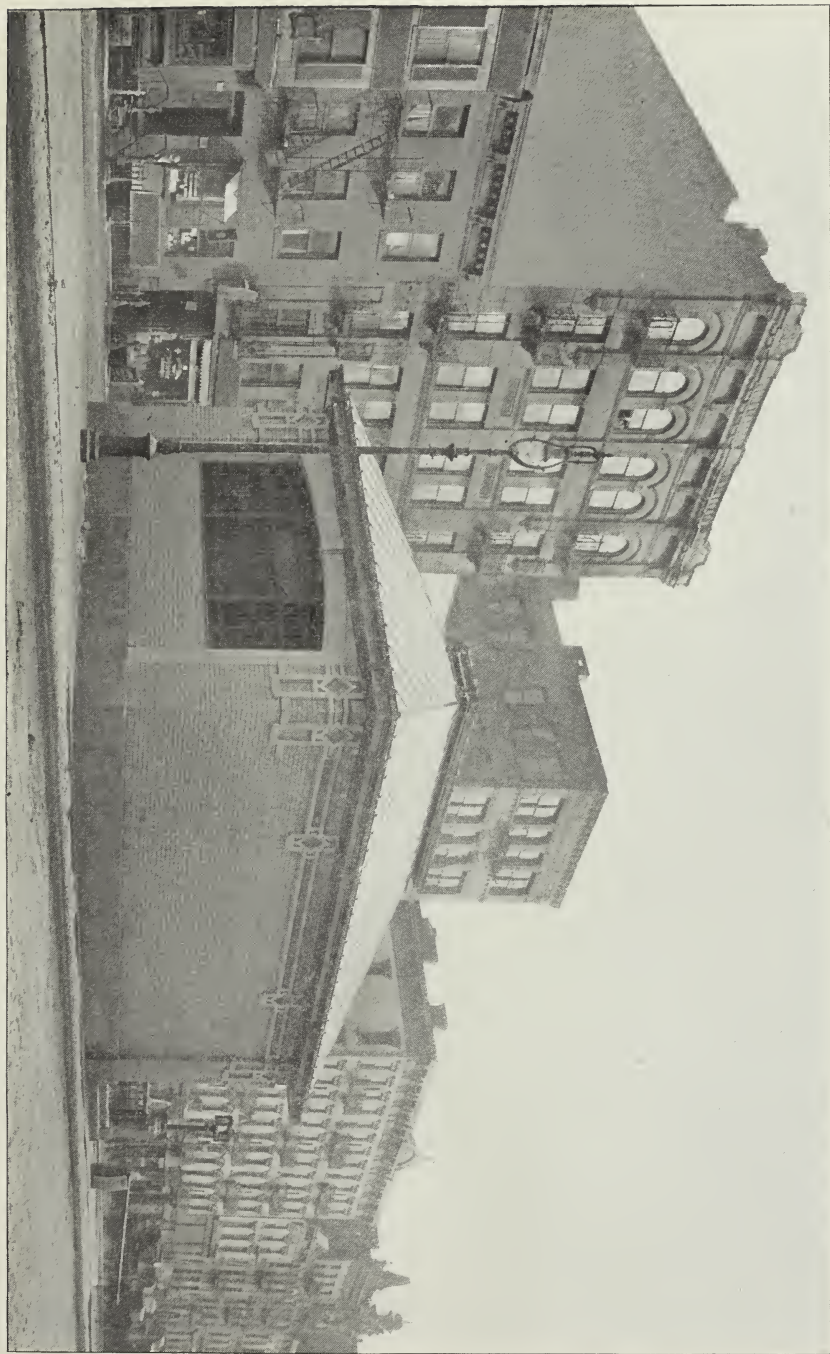
The contractor assented to this modification of the plans and agreed to perform the work therein laid down under a modified agreement, at a price of \$1,150,000 for completing the work under the modified plans, and in final settlement of all work done under the original contract, agreed to complete the contract for the sum total of \$1,425,635.62. The approval of this modified agreement and plans by the Board of Estimate and Apportionment is now pending.

Sections 9-O-2 and 9-O-3.—Through Centre street, from Pearl street to Broome street, and from the intersection of Centre and White streets through private property and Canal street to Chrystie street. Contractors, the Degnon Contracting Company and the Cranford Company, respectively.

On these sections, the only work remaining to be done was that for the Canal street station, consisting in the station finish work. This station has been constructed under the contract for each of these sections; the portion under the contract for section 9-O-2 was entirely completed on March 21, and that for section 9-O-3 on March 30, 1910.

Section 9-O-4.—Through private property and the extension of Delancey street from Broome street to Chrystie street. Bradley Contracting Company, contractors.

Construction work on this section has been delayed mainly by the acquisition of real estate. Of the total work, 85 per cent had been completed at the end of last year, and 14 per cent was done during the year, being now practically completed, with the exception of a small amount of station finish work in the Bowery station at Delancey street. By the end of the year the street surface was restored throughout the whole length of the section.



Station entrance superstructure on Delancey street, east of Bowery.



Station at Bowery and Delancey street. West end of north platform, showing the two northerly tracks and center wall between tracks.



Station at Bowery and Delancey street, showing center wall between north and south platforms and decorative features.



Bowery station, showing north escalator before placing of enclosure trim.

Section 9-0-5.—Through Delancey street from Chrystie street to Essex street. Bradley Contracting Company, contractors.

Construction work was carried on and completed about March 31st for a length of seventy feet at the west end of this section, and for a length of sixty feet at the Allen street crossing. The laying of the final pavement over the entire section was completed about July 9th.

The following table gives the quantities of work performed by each contractor from the beginning of construction to December 31, 1910, inclusive:

REGULAR WORK.

ITEM	SECTIONS					Totals
	9-0-1	9-0-2	9-0-3	9-0-4	9-0-5	
Excavation above El. 100..... cu. yds...	57,420	93,173	68,645	131,415	118,077	468,730
Excavation below El. 100..... " ...	2,050	52,521	23,314	17,721	3,438	99,044
Concrete..... " ...	663	36,516	20,867	30,751	20,465	109,262
Brick masonry backing..... " ...		1,312	661		372	2,345
Steel delivered and erected..... tons.....		3,390	2,538	4,148	2,406	12,482
Cast iron delivered and erected... "		9	6	4	7	26
Gratings..... sq. yds.....		399	58	150	245	852
Vault lights..... "		233	260	600		1,093
Hand rail..... lin. ft.		3,881	2,088	1,668	3,101	10,738
El. columns maintained..... each.....		3		5	4	12
Waterproofing..... sq. yds.....	42,149	25,093	26,719	19,360	113,321	
Brick in asphalt mastic..... cu. yds.....	1,839	927	359		3,125	
Sheet lead waterproofing..... sq. yds.....		225			225	
Pipe supported in excavation to subgrade..... lin. ft.		2,589	1,296	430	1,573	5,888
Pipes in final position..... "		2,589	1,296	430	1,573	5,888
Street railway tracks (electric) supported to subgrade..... " ...	720	2,835	2,396	844	3,600	10,395
On permanent support..... "		2,835	2,396	844	3,600	9,675
Buildings underpinned..... "		1,860	1,641	182		3,683
Buildings supported..... "				751		751
Street surface and sidewalk restored sq. yds.....	17,782	10,603	1,280	13,485	43,150	
Park surface restored..... "				1,364	1,364	
Regrading street surface..... cu. yds.....	191				191	
Tunnel ducts (single duct)..... lin. ft.	170,555	97,415	96,711	118,248	482,929	
Station finished per cent of whole completed.....	100	100	90			
Concrete piles..... lin. ft.		8,561			8,561	

REGULAR WORK, PIPE GALLERIES.

ITEM		SECTIONS		Totals
		9-0-4	9-0-5	
Excavation.....	cu. yds.....		11,759	11,759
Concrete.....	"	1,846	3,831	5,677
Steel delivered and erected.....	tons.....	130	231	361
Linear feet of pipe gallery completed.....		1,307	2,946	4,253

EXTRA WORK DONE FROM BEGINNING OF CONSTRUCTION TO
DECEMBER 31, 1910, INCLUSIVE.

ITEM		SECTION					Totals
		9-0-1	9-0-2	9-0-3	9-0-4	9-0-5	
Excavation above El. 100.....	cu. yds.....		2,243	1,589	2,403		6,235
Excavation below El. 100.....	"		2,978	646	999		4,623
Concrete.....	"		1,912	1,925	1,988	670	6,495
Brick masonry.....	"		50	61			111
Steel delivered and erected.....	tons.....		766	587	942	57	2,352
Brick and asphalt.....	cu. yds.....		64				64
Waterproofing.....	sq. yds.....		1,467	422	121		2,010
Street surface restored.....	"		41	167			208
Concrete piles.....	lin. ft.....		115,145	414			115,559
Wooden piles.....	"		2,666				2,666
Gratings.....	sq. yds.....			32			32
Sheet lead waterproofing.....	"			305			305
Buildings underpinned.....	lin. ft.....				271		271
Expanded metal.....	sq. yds.....			689			689
Concrete cut out.....	cu. yds.....	578			58		636
Wash borings.....	lin. ft.....		2,583				2,583
Backfilling.....	cu. yds.....		841	450		161	1,452

TOTAL PAYMENTS TO EACH CONTRACTOR FOR REGULAR WORK,
SAME BEING 90 PER CENT OF THE MONTHLY ESTIMATES,
FROM THE BEGINNING OF CONSTRUCTION TO DECEMBER 31,
1910.

Section	1907			1908		
	Railroad con- struction	Sewer con- struction	Pipe gal- lery con- struction	Railroad con- struction	Sewer con- struction	Pipe gal- lery con- struction
9-0-1.....	\$85,410 00	\$7,312 50	.....	\$102,705 75	\$12,137 40	.....
9-0-2.....	281,603 16	83,372 40	.....	1,178,169 39	72,942 30	.....
9-0-3.....	190,282 86	.....	.....	839,559 33	6,678 00	.....
9-0-4.....	61,132 50	.....	.....	443,451 15	1,398 60	.....
9-0-5.....	162,324 00	6,390 00	\$4,972 50	625,306 04	9,990 00	\$7,075 58
Totals...	\$780,752 52	\$97,074 90	\$4,972 50	\$3,189,191 66	\$103,146 30	\$7,075 58

Section	1909			1910			
	Railroad con- struction	Sewer con- struction	Pipe gal- lery con- struction	Railroad con- struction	Sewer con- struction	Pipe gal- lery con- struction	Total December 31, 1910
9-0-1...	.....	.....	.....	.....	.....	.....	\$207,565 65
9-0-2...	\$671,949 77	\$25,248 15	.....	.....	.....	.....	2,313,285 17
9-0-3...	606,094 16	7,703 10	.....	\$198,541 56	\$8,444 15	.....	1,857,303 16
9-0-4...	664,596 23	3,761 10	\$13,064 63	171,090 82	5,473 44	\$7,050 10	1,371,018 57
9-0-5...	122,849 85	730 80	40,449 64	.....	.....	.....	980,088 41
Totals...	\$2,065,490 01	\$37,443 15	\$53,514 27	\$369,632 38	\$13,917 59	\$7,050 10	\$6,729,260 96

Total value of extra work estimated as done by each contractor
from the beginning of construction to December 31, 1910.

Section	Amount
9-0-1	\$300,663 36
9-0-2	415,371 23
9-0-3	119,917 77
9-0-4	173,750 63
9-0-5	25,132 25
Total	\$1,034,835 24

Contracts Nos. 1 and 2 — Manhattan-Bronx Railroad, and Brooklyn-Manhattan Railroad.—Such construction as has been done on these two contracts, the present operated subway, during 1910, has been in the way of additional improvements, according to the demands for increased service from time to time found necessary. The most important work under this head has been that in connection with station improvements, particularly in providing for the extension of the station platforms to accommodate ten-car express trains and six-car local trains to increase the carrying capacity of the subway, a detailed reference to which was given in the last report; and also in completing the terminal station at Zoological park on the East Side line, construction of which was begun in February, 1910, and opened for the operation of trains on October 28, 1910. These and other items of construction are given more in detail as follows:

Contract No. 1 — Additional Elevators, One Hundred and Eighty-first Street Station.—The excavation, steelwork and concreting have been completed, and the brick walls enclosing the elevator entrances laid on the three levels and the top and bottom chambers are ready for station finish work; the overhead bridge to west platform has been completed except for finish work and stairways; the Otis Elevator Company is installing the elevator machinery and mechanism and has completed about 50 per cent of the work. On November 21st the east sidewalk of St. Nicholas avenue was temporarily restored, and this will be maintained until the completion of the blasting for the platform extension will permit the vault lights to be laid. On December 3d the asphalt block pavement over the excavation on St. Nicholas avenue was restored, all barricades removed and the street opened to traffic.

New Station, One Hundred and Ninety-first Street.—With the exception of the passageway from the street, the construction for the walls of which is now under way and the erection of the doors at the entrances to elevator cars, the superstructure of this station is ready for service on completion of the elevators, which latter should be completed in about three weeks' time. All the excavation and construction for the shaft for these elevators are now practically completed, as well as all work on the platforms.

One Hundred and Fifty-seventh Street Station.—At this station provision has been made for the widening of the east stairway. Excavation for this work was begun on April 21st, and the new stairs completed and opened to the public on October 12th, and on November 26th all barricades inclosing the work were removed and the street and sidewalk opened to traffic, and all construction completed with the exception of station finish work and the erection of the kiosk.

Inclined Elevator, One Hundred and Seventy-seventh Street Station.—The work of rearranging the stairways and building an inclined elevator on the east side of the One Hundred and Seventy-seventh street station was begun in November, 1909. This work was completed in June last and the elevator put in service.

New Station at Intervale Avenue.—Work on this new station was begun in December, 1909. This work involved reinforcing the columns of the main viaduct structure and the addition of three special columns. The station was finally completed in July, but had been opened to the public since April 30th.

Storage Yard, Two Hundred and Fortieth Street and Broadway.—Excavation for a new storage yard and inspection shed on the west side of Broadway, near Two Hundred and Fortieth street, began in November, 1909. The approach to this yard and inspection shed are fire-proof construction, and the storage yard consists of a steel structure with wooden tie tracks, similar to the elevated railroad tracks. This yard has a storage capacity of 185 cars, and the inspection shed a capacity for six trains of ten cars each in addition. A recreation room for the use of employees is also being provided at this yard.

At this time the steel structure is completed, and the tracks have been laid and the signals installed; the masonry walls of the train-shed and repair shop are completed, but the reinforced concrete roof and the interior of the building are not yet finished.

In connection with the yard and its approach an additional track was built on the west side of Broadway, from Two Hundred and Thirty-eighth street station to Two Hundred and Fortieth street. Ten additional columns with concrete and pile

foundations were placed in the westerly sidewalk to support the added tract construction. This additional track is complete.

Terminal Station, East Side Line.—The station at One Hundred and Eightieth street and Boston road being temporary, in February last work was begun on a permanent terminal station to be located at Zoological Park, at One Hundred and Eighty-first street. In connection with this station is a recreation room for subway employees. This station is now nearly completed. It was opened for the operation of trains on October 28, 1910.

Extension of Station Platforms.—This work consists in lengthening the local platforms sufficiently to accommodate six-car in place of five-car trains, and extending the express platforms to receive ten-car in place of eight-car trains.

From Atlantic avenue, Brooklyn, to Ninety-sixth street, Manhattan, on the Main line, and from Ninety-sixth street to One Hundred and Forty-ninth street, on the East Side line, both north and southbound platforms have been lengthened, with the exception of those at Nevins street and at Hoyt street stations, Brooklyn, and in Manhattan at Astor place (southbound platform), and at Mott avenue stations, at which points no work has been done. The remaining stations have been lengthened on the northbound side only, except the new stations at One Hundred and Ninety-first street and at Intervale avenue, which have been built to receive ten-car trains on both platforms.

Work on these platform extensions began early in the year, but progress has been limited by the slow delivery of steel. The work on local stations, however, had advanced sufficiently by October 24th last to permit the operation of six-car local trains on that date, the tile work only now remaining to be done at these local stations. The following résumé shows how far this work has now advanced at all stations where such construction is in progress, the stations under Contract No. 1 being first described, and those under Contract No. 2 to follow under that subheading:

(1) *Brooklyn Bridge Station.*—The work at this point consists of a 15-foot extension at the north end, and an extension of 135 feet at the south end of the northbound platform, also an extension of 165 feet at the south end of the southbound platform. This work is being done entirely within the subway and

has required no opening from the street. Before this work could be commenced, it has been necessary to rearrange the tracks south of this station. This work has been completed so as to allow for the extension of the south end of the southbound platform, and the steel at this point has been nearly all erected. The new signal house, etc., have been erected along the west side of this platform. The tracks have not yet been changed to allow for the work of extending the south end of the northbound platform. The 15-foot extension at the north end of the northbound platform has been made.

(2) *Worth Street Station*.—The work at this point has consisted in extending the platforms for a distance of about ten feet in the electric manhole at the north end of the northbound platform, and about fifteen feet in the manholes at the north and south ends of the southbound platform. This work has been completed with the exception of the glass tile work.

(3) *Canal Street Station*.—The extensions at this point are similar to those at Worth street, with the exception that they are made at all four corners. This work has been completed with the exception of the tile work.

(4) *Spring Street Station*.—The work at this station consisted of an extension at the south end of the northbound platform similar to those at Worth and Canal streets. This is now practically all completed, with the exception of the station finish work.

(5) *Bleecker Street Station*.—The work at this station consists of an extension of about thirty feet at the north end of the northbound platform, and an extension of about twenty-five feet at the north end of the southbound platform. The work at this point has been practically completed with the exception of building the new transformer closet at the north end of the northbound platform and the station finish work.

(6) *Astor Place Station*.—The work at this station consists of extensions in the electric manholes of about ten feet at the north and south ends of the northbound platform. This work has been completed with the exception of the finish tile work.

(7) *Fourteenth Street Station*.—The work at this station consists of reconstructing the roof just north of Thirteenth street on

account of the change in location of the crossovers; an extension of the south end of the northbound platform of about 100 feet; an extension of the north end of the northbound platform of about 55 feet, and an extension of the north end of the southbound platform of about 128 feet. The changes in the roof north of Thirteenth street required the excavating of the street from the curb of Fourth avenue to a point about four feet west of the southbound surface track, and for a length of about sixty-five feet. Steel has been set and riveted, arches concreted and the roof is being waterproofed and protected. Considerable work in the way of underpinning duct lines and surface tracks remains to be done. The steel for the extension of the south end of the northbound platform has been erected and the construction of the platform is in progress. The extension of the north end of the northbound platform has been completed. The steel for the extension of the north end of the southbound platform has been erected and the platform is nearly completed.

(8) *Eighteenth, Twenty-third and Twenty-eighth Street Stations.*—The work at these stations has consisted of extending all four corners of the platforms into the electric manholes. This work has been completed with the exception of the glass tile.

(9) *Thirty-third Street Station.*—The work at this station has consisted of the extension of the south ends of both the north and southbound platforms for a distance of about twenty-seven feet. This has necessitated the construction of new electric manholes fifteen feet long south of each of the extensions, the extension of the ducts under the extensions and the redrawing of the cables. This work is completed with the exception of the glass tile work.

(10) *Grand Central Station.*—The work at this point consists in extending the west end of the northbound platform for about 135 feet, and the west end of the southbound platform for about 125 feet.

In order to extend the west end of the northbound platform it has been necessary to reconstruct the north wall of the subway north of its present position from the east curb of Madison avenue west for a distance of about 350 feet. This has necessitated considerable encroachment upon the vault space of the adjacent

buildings, particularly in the case of the Manhattan hotel, where it has been required to remove the three boilers located under the sidewalk. The excavation at this point has been completed from the west end of the extension to the west building line of the Manhattan hotel, and from this point east the drift has been carried south of the vault wall of the Manhattan hotel to about the center line of Madison avenue. The toilet room, sidewalk, etc., adjacent to the Manhattan hotel is all being supported. Excavation is in progress in the vaults of the Manhattan hotel. The steel side-wall columns and roof beams have been erected from the west end of the extension east for a distance of about 130 feet. Four columns and roof-beams have also been erected in the vault of the Manhattan hotel near the west end of the building. The bottom has been concreted and waterproofed wherever steel columns have been erected. The side-wall arches have been concreted to within four inches of the north wall for a distance of fifty feet from the west end of the extension. The side-wall arches between the above columns have been about one-third concreted, and the ducts at these same points have been about one-third laid.

The extension of the west end of the southbound platform is being made entirely within the subway, and consists of substituting steel columns and girders for the bulb angle columns removed along the north side, the bulb angle columns being left in place on the south side. This steel has been erected, and the walls to support the platform are being built. A new signal tower has been constructed at the west end of the extension.

(11) *Times Square Station*.—The work at this station consists of the extensions of the north and south ends of the northbound platform in the electric manholes similar to the work at other local stations, with the exception that it was necessary to make an excavation from the street in order to place additional stiffeners on an old girder at the north end of the northbound platform. The extension of the southbound platform is entirely at the south end, and has necessitated a narrowing upon the stairway leading from the platform to the Knickerbocker hotel. The extensions of the northbound platform have been completed with the exception of the glass tile work. At the extension of the south end of

the southbound platform, in addition to the glass tile work to be laid, there is some work still to be done in connection with restoring the entrance to the Knickerbocker hotel.

(12) *Fiftieth Street Station*.—The work at all four corners of this station consists of extending the platform into the electric manholes in the usual manner. The work at this station is practically completed with the exception of the glass tile work.

(13) *Columbus Circle Station*.—The extension of the northbound platform was all made at the south end. This required the construction of a new electric manhole, extending the ducts under the platform and redrawing the electric cables. This work has practically all been done with the exception of the glass tile and repaving street surface. The extensions of the north and south ends of the southbound platform have been made in the usual manner for the local stations, and are complete with the exception of the glass tile.

(14) *Sixty-sixth Street Station*.—The extensions at all four corners of this station have been made in the usual manner for the local stations, and have been practically completed with the exception of the glass tile.

(15) *Seventy-second Street Station*.—The work at this point has consisted in the reconstruction of the roof south of the station on account of the change in crossover, in addition to the following extensions: About eighty feet at the south end of the northbound platform, about twenty-five feet at the north end of the northbound platform, about twenty-five feet at the south end of the southbound platform, and about 100 feet at the north end of the southbound platform. The new roof construction south of the station has required excavation from the surface. The steel at this point has been erected and the work of concreting in the roof has been commenced.

At the south end of the southbound platform a new signal tower has been erected and about thirty feet of the new platform has been laid north of this signal tower.

At the north end of the northbound platform the new steel has been erected. At the south end of the southbound platform the new steel has been erected and the work of concreting the platform was commenced. At the north end of the southbound platform the new steel has been erected, and the greater portion of

the platform has been completed. The new signal tower at this point has been built.

(16) *Seventy-ninth, Eighty-sixth and Ninety-first Street Stations.*—The extensions at all four corners of these stations have been made in the usual manner for the local stations, and have been practically completed with the exception of the glass tile.

(17) *Ninety-sixth Street Station.*—The work at this station consists of an extension at the south end of the northbound platform of about 100 feet. This also involves the substitution of longitudinal girders with castiron columns 15 feet center to center for the bulb angle columns placed five feet, center to center for a distance of about 100 feet at the south end of the present platform; also an extension at the south end of the southbound platform of about 135 feet. The steel has been erected for the changes in the south end of the present northbound platform, the remainder of this work having been delayed until the switch tower could be removed. The steel for the south end of the southbound platform has been erected and the platform has been completed. A new switch tower at the south end of the southbound platform has been constructed.

(18) *One Hundred and Third Street Station.*—The work at this point consists of extending the north end of the northbound platform for a distance of about 125 feet. This work has been completed with the exception of an opening in the roof and side-wall at the south end, at which point a new stairway is to be constructed.

(19) *One Hundred and Tenth Street Station, East Side Line.*—The work at this point consists of the extension of the present island platform for a distance of about 145 feet at the north end. This work has been nearly completed. Openings are required to be made over the southbound track to install gratings in the west walk of Lenox avenue; this work has not been commenced.

(20) *One Hundred and Tenth Street Station, West Side Line.*—The work at this point consists of an extension of about 135 feet at the south end of the northbound platform. This work has been completed with the exception of the station finish work and restoring the street surface.

(21) *One Hundred and Sixteenth Street Station, East Side Line.*—The work at this point consists of extending the present platforms approximately fifty-five feet at all four corners. Vault lights and gratings have been installed on the west side of Lenox avenue north and south of One Hundred and Sixteenth street. Norman brick wainscoting is being laid, the ceilings are being plastered and the glass tile work still remains to be done. The street surface has not yet been restored.

(22) *One Hundred and Sixteenth Street Station, West Side Line.*—The work at this point consists in the extension of the south end of the northbound platform for a distance of 130 feet in addition to a new stairway on the east side of Broadway. The rough work at this point has been completed. The station finish work, stairway, coping, etc., remain to be done.

(23) *One Hundred and Twenty-fifth Street Station.*—The extensions at this station are similar to those at One Hundred and Sixteenth street, with the exception that no ground water was encountered. The platform finish has been laid and some plastering has been done, otherwise the station finish work remains to be done. The street surface has not yet been restored.

(24) *One Hundred and Thirty-fifth Street Station.*—The work at this point consists of an extension of 30 feet at the south end of both platforms and of 110 feet at the north end of both platforms. This work has been similar to the work at One Hundred and Sixteenth street. The work for the extension of the northbound platform has been practically completed with the exception of backfilling. At the south end of the northbound platform a new transformer closet has been built, and a new signal tower remains to be built. The roof is still to be concreted.

(25) *One Hundred and Thirty-seventh Street Station.*—The work at this point consists of the extension of the south end of the northbound platform for a distance of about 150 feet and the construction of trainmen's quarters east of the northbound platform near the north end. The work of extension has been completed with the exception of the station finish work.

(26) *One Hundred and Forty-fifth Street Station.*—The work at this point consists in reconstructing the roof south of the extension on account of the changes in the location of the

crossover. This work has required an excavation to be made on the street surface. The new roof girders have been erected. The northbound platform is being extended for a distance of 130 feet at the south end. About two-thirds of this extension lies within the present structure, which requires the removal of a portion of the two easterly tracks. The bottom and side wall for the portion lying outside of the subway is in place and walls are being built for the support of the portion of the platform lying within the subway.

(27) *One Hundred and Forty-ninth Street Station*.—The work at this point consists of an extension of about 130 feet at the east end of both platforms, and is nearly completed.

(28) *One Hundred and Fifty-seventh Street Station*.—On July 5th ground was broken for extending the east platform seventy feet south of the old station; on November 23d all construction was completed except for station finish and the backfilling over the new roof is about 50 per cent completed. On April 27th ground was broken for extending the east platform sixty feet north of the old station; on October 25th all construction was completed except for station finish, and on November 28th backfilling over the new roof was completed to the surface.

(29) *One Hundred and Sixty-eighth Street Station*.—On March 1st drilling was started for a heading in the south end wall of the east platform for extending the latter south for 179 feet, and on March 28th blasting was commenced. The excavation was completed when it was decided that the blasting had injured the old arch so as to render it unsafe to follow the original plan, and a flat-roof construction over the tracks was approved. Except for twenty-five feet at the south end of the extension the platform steel has been completed. On October 11th excavation was started for recesses in the west wall; these are now completed, and the steel for the flat-roof erected for practically the entire length.

(30) *One Hundred and Eighty-first Street Station*.—On March 16th drilling was started for a heading in the north end wall of the east platform for extending the latter north for 176 feet, but blasting was not started until November 9th. By the use of segmental timbering an effort is being made to preserve

the present subway arch to avoid the necessity for a flat-roof construction over the tracks, as has been found necessary at the One Hundred and Sixty-eighth street station.

(31) *Dyckman Street Station*.—On October 17th excavation was started for the new retaining wall to extend the present east platform for 100 feet to the south. The excavation has been completed, the new wall concreted to the bottom of the coping for 50 feet at the north end, and about 50 per cent of the old wall has been removed.

(32) *Elevated Stations (Subway)*.—The extensions of the platforms of the stations on the East Side Elevated line have now been practically completed, as follows: Jackson avenue station, 140 feet at the north end of the northbound platform; Prospect avenue station, 50 feet at the south end and about 80 feet at the north end of the northbound platform; Simpson street station, 55 feet at the south end and 50 feet at the north end of the northbound platform; Freeman street station, 50 feet at the north end and about 40 feet at the south end of the northbound platform; One Hundred and Seventy-fourth street station, about 43 feet at the north end and about 40 feet at the south end of the northbound platform; One Hundred and Seventy-seventh street station, 150 feet at the south end of the northbound platform. Of the stations on the West Side Elevated line, platform extensions, also practically completed, amount to the following: Manhattan street station, about 98 feet at the south end of the northbound platform; Two Hundred and Seventh street station, about 100 feet at the north end of the northbound platform; Two Hundred and Fifteenth street station, about 50 feet at the south end and about 50 feet at the north end of the northbound platform; Two Hundred and Twenty-fifth street station, about 95 feet at the north end of the northbound platform; Two Hundred and Thirty-first street station, about 50 feet at the south end and about 50 feet at the north end of the northbound platform; Two Hundred and Thirty-eighth street station, about 200 feet at the south end of the northbound platform; Two Hundred and Forty-second street station, about 62 feet at the south end of the northbound platform and about 62 feet at the south end of the southbound platform.

Contract No. 2.— As stated in the last report, such slight details of construction required to complete this contract — consisting principally in some station finish work on the Bowling Green station, and in the installation of some ventilating apparatus for the East River tunnel — were completed by the close of 1909. During 1910 a few minor repairs were required to be made to sidewalks and buildings along the route, chiefly on Joralemon street; this work has now been done to the satisfaction of the property owners.

It has been necessary in closing up this work to prepare records showing the nature and extent of property damaged due to tunnel work along Joralemon street, which records have now been compiled, after considerable labor, and turned over to the corporation counsel's office. These records are expected to form valuable evidence for the city in proceedings before the Commissioners of Appraisal.

An examination has also been completed of the contractor's claims for extra work, amounting to \$217,143.90 on Section 2, the loop in Battery Park. The contractor has a considerable force engaged in preparing his claims for extra work on Sections 2-A and 3, which include the river tunnel and the Brooklyn subway, but it is understood he has not yet been able to put them in form for presentation because of their great number and complexity. In anticipation of such claims much work has been done by this department in segregating the various quantities involved.

The principal work of construction during the year has been confined to improvements in the service, in extending the station platforms, as with the stations on Contract No. 1 already referred to; also in providing additional station facilities at the Atlantic avenue station in Brooklyn, and at the Fulton street station in Manhattan, contemplating at the latter station the construction of a new stairway on the south side of Dey street, which work is expected to begin at an early date.

The additional facilities above referred to at the Atlantic avenue station consist of a passageway from the east end of the extension on the south side leading to two new stairways on the south side of Flatbush avenue, and a passageway at the east end of the extension on the north side leading to a stairway on the

north side of Flatbush avenue adjacent to the building line, and to a stairway on the south side of Atlantic avenue adjacent to the building line. This work has been completed with the exception of a portion of the station finish work, copings, kiosks and a portion of the vault lights. The stairways have all been built with the exception of some work finishing up.

The stations to be lengthened, including the extension also of the Atlantic avenue station just referred to, are here enumerated, giving the state of completeness of this work at each of the stations named:

Atlantic Avenue Station.—The work at this point consists in extending the present station 105 feet east. This section extends practically from building line to building line of Flatbush avenue. Incidental to this work it has been required to support three elevated railway columns, underpin the buildings on the south side of Flatbush avenue and to relay the water mains and electric ducts. The work at this point has been nearly completed, including the station finish work and backfilling. The subway track is now being carried into the extension.

Borough Hall Station.—The work at this point consists of the extension of the east end of the north-bound platform for a distance of about 125 feet, and of the east end of the south-bound platform for a distance of about 140 feet. It has been required to extend the ducts under the extension of the south-bound platform and to redraw the cables. It has also been required to construct a transformer closet at the east end of the extension to take the place of the one removed. Incidental to this work it has been necessary to support two elevated columns and to underpin the Court House situated on the south side of Joralemon street. The work at this point is nearing completion. The glass tile on the side walls is still to be set, and the backfilling over the east end of the north-bound platform is only partially completed.

Bowling Green Station.—The extension at this point consists of lengthening the island platform about 110 feet at the north end. The steel work has all been erected. The steel for the mezzanine floor has been partially erected, and forms are being set for the stairway leading from the mezzanine platform at the north end of the mezzanine. Considerable work remains to be done at this point in connection with the mezzanine platform.

Wall Street Station.—The extensions at this point consist of an extension of about 165 feet on the south end of the north-bound platform, and of about 135 feet at the north end of the south-bound platform. The extension of the south end of the north-bound platform encroached upon the vault space of the buildings on the east side of Broadway north of Exchange place and involved their reconstruction. The work of this extension has been completed with the exception of the station finish work. Glass tile is now being laid. The street surface is restored.

The extension of the north end of the south-bound platform has consisted in substituting a line of girders and columns for the east wall of the Trinity passageway and the lowering of the floor of same to form the floor of the extension. This work has been completed with the exception of a small amount of tile work. Gratings have been installed on the sidewalk over this extension.

Fulton Street Station.—The work at this point has consisted of an extension of 150 feet at the south end of the north-bound platform, and of an extension of 135 feet at the south end of the south-bound platform.

The extension of the south end of the north-bound platform has necessitated the underpinning of the east wall of the vaults of the adjacent buildings and the construction of the brick egg-shaped sewer partly under this wall.

The extension of the south end of the south-bound platform has been largely in the vault space of the adjacent buildings, and involved extensive reconstruction. The sidewalk at this point has been replaced by gratings and vault lights.

SEWER CONSTRUCTION.

The construction of rearranged sewers in connection with the building of subways during the year 1909 left the completion of the sewers for Sections 9-O-1 and 9-O-4 of the Brooklyn Loop Lines, and the changes at One Hundred and Eighty-first street, Manhattan, on account of additional elevators, in an unfinished condition.

In addition to the work carried over from last year, sewer changes have been designed and constructed in connection with the station platform extension work, Contracts 1 and 2, and the

building of the six sections of the Fourth Avenue Subway, in Brooklyn, for which contracts were awarded in November, 1909.

Work on new sewer drawings for the proposed Tri-Borough route was begun in May, 1910, and completed July 15th, and, owing to changes in subway design, the several routes composing this system required entirely new studies and drawings.

The dependence of sewer design upon subway plans required close association with the tunnel designers, and overtime work to permit nearly simultaneous publication of completed drawings, and in view of these conditions, as complete conference and consultation with the sewer bureaus of the three boroughs as could be desired was impossible, yet the more important changes have been discussed with the chief engineers of these departments, and designs prepared as much as possible in accordance with their views. The uniform courtesy extended to members of our engineering force by these city departments is gratefully acknowledged.

Several lines of bench levels have been re-run during the past year and corrected benches established, as settlement was found in some instances.

During the past year sewers to the extent of 18,971 feet or 3.6 miles have been constructed, as shown by the following itemized descriptions and tabulations:

CONTRACTS NOS. 1 AND 2.

The sewer work due to the construction of additional elevator shafts for One Hundred and Eighty-first street and St. Nicholas avenue station has been completed. This sewer, begun in October, 1909, was completed on October 28, 1910, and consists of 44 feet of 3 feet 6 inch by 2 feet 4 inch egg-shaped sewer, and 100 feet of 15-inch vitrified pipe.

In connection with the proposed additional elevators for One Hundred and Sixty-eighth street station, surveys and investigations have been completed and exhaustive studies prepared for sewer readjustment to accommodate alternative plans.

Extension of Platforms.—Plans and surveys have been completed for all sewer reconstruction necessitated by the contracts with the Interborough Rapid Transit Company for the extension of platforms. Sewer work on these contracts was started in the early part of 1910 and has been practically completed.

All details of sewer reconstruction for lengthening of platforms are given in the following tables:

CONTRACT NO. 1.

LOCATION	Work begun	Work completed	Classification	Length	Remarks
				<i>Feet</i>	
Spring street.....	April 20, 1910	Oct. 15, 1910	15" Vit. pipe.....	30	
			3' 6" x 2' 4".....	14	
Bleecker street.....	May 5, 1910	June 25, 1910	24" C. I. pipe.....	36	
	July 9, 1910	Oct. 22, 1910	Receiving basin completed		
			12" culvert.....	20	
50th street.....	Feb. 1, 1910	April 18, 1910	18" C. I. pipe.....	15	
			3' 6" x 2' 4".....	40	
115th street and Lenox avenue.....	June 18, 1910	Oct. 1, 1910	Receiving basin completed		
125th street and Lenox avenue.....	April 4, 1910	May 17, 1910	Receiving basin completed		
137th street and Broadway.....	July 23, 1910	Aug. 13, 1910	4' 0" x 2' 8".....	62	
149th street, north side.	July 30, 1910	Oct. 29, 1910	12" Vit. pipe.....	93	Flush tank re-built.
			3' 6" x 2' 4".....	27	
149th street, south side.	July 2, 1910	Oct. 29, 1910	12" Vit. pipe.....	131	
Total.....				468	

CONTRACT NO. 2.

LOCATION	Work begun	Work completed	Classification	Length	Remarks
				<i>Feet</i>	
Fulton street, east side (Manhattan).....	April 9, 1910	May 7, 1910	3' 6" x 2' 4".....	153	
Fulton street, west side (Manhattan).....	April 30, 1910	Aug. 27, 1910	3' 6" x 2' 4".....	165	
At Maiden lane (Manhattan).....	Sept. 3, 1910	Oct. 8, 1910	Manhole completed		
Borough hall, south side (Brooklyn).....	July 2, 1910	Oct. 29, 1910	12" Vit. pipe.....	145	
			3' 6" x 2' 4".....	20	
Borough hall, north side (Brooklyn).....	Sept. 17, 1910		3' 6" x 2' 4".....	16	Manhole to be built.
Atlantic avenue (Brooklyn).....	May 28, 1910		12" Vit. pipe.....	319	Includes basin construction (36 ft. 3' 6" x 2' 4" remaining to be built).
			3' 6" x 2' 4".....	17	
Total.....				835	

Additional Stairways.—Investigations have been completed and detail plans prepared for the rearrangement of sewers due to the proposed additional entrances and exits for Fulton street, Fourteenth street, Grand Central, One Hundred and Third street, One Hundred and Tenth street and One Hundred and Forty-ninth street stations.

Sewer reconstruction, due to additional stairways at Atlantic avenue station, was carried on conjointly with the platform extension work at this station. Aside from this instance, the following is an approximate statement of additional sewer work required:

Fulton street station, one house connection to be reconnected.

Grand Central station, 193 feet of 14-inch cast iron pipe.

Grand Central station, 276 feet of 15-inch vitrified pipe.

Grand Central station, 5 feet of 3-feet 6-inch by 2-feet 4-inch egg.

One Hundred and Third street station, 13 feet of 3-feet 8-inch by 2-feet 5-inch, partially reconstructed.

One Hundred and Tenth street station, offset manhole to be built.

One Hundred and Forty-ninth street station, 82 feet of 12-inch cast iron pipe.

Forty-second Street Widening.—In connection with the proposed widening of Forty-second street from 40 feet to 55 feet between the curbs, the necessary surveys have been made and a plan prepared providing for one length of 12-inch cast iron pipe, crossing underneath the proposed passageway from the southwest corner of Forty-second street and Broadway, and also a new inlet and 14 feet of culvert pipe near the southeast corner.

Brooklyn Loop Lines — *Section 9-O-1.*—No on-line sewers have as yet been constructed on this contract.

Modified contract drawings were prepared during the year for the rearrangement of sewers on this section, and the adjoining southerly end of section 9-O-2; the estimated quantities involved will be found in the appended tabulations. Changes in plans and the construction of foundations for the new municipal building have delayed subway construction, but conditions now permit proceeding with this work on completion of negotiations with the contractor.

The Duane street off-line sewer, built as extra work under the contract for this section, was entirely completed on August 8, 1910, having been in service since March, since which time the work consisted of restoration of surface and subsurface structures.

The city formally accepted this sewer on September 27, 1910, on request of this Commission, accompanied by complete record drawings showing all the details of actual construction.



Duane street sewer. Typical section of tunnel on Duane street, east of Broadway.

LIBRARY
OF THE
UNIVERSITY OF ILLINOIS



Duane street sewer. View showing roof and brick walls in tunnel under the present subway at Duane street preparatory to installing 40-inch cast-iron pipe sewer.

LIBRARY
OF THE
UNIVERSITY OF ILLINOIS

This sewer, some 3,156 feet in length, begins at the easterly side of the present subway in Lafayette street, passes under it and Duane street, discharging under Pier 21, North river, and is provided also with a storm water overflow at the bulkhead wall. Its greatest depth below the surface is about thirty-two feet at Broadway.

This sewer does not appear on the original contract drawings, and its construction is due to the lowering of the base of rail grade and attendant modifications in the contract plans. Work was begun late in December, 1908, at West street, and advantage was taken of its construction to omit a proposed inverted siphon at Leonard street.

Aside from the fact that the excavation was partly below mean high water, and averaged an unusual depth, rapid progress was delayed, owing to its location in a narrow street crossing busy thoroughfares, through a congested wholesale district, in which heavy trucking traffic and a horse car line, in addition to access to buildings, had to be maintained. From the North river to and under Broadway the work was done in open trench with plank covering. The multiplicity of pipes, mains, ducts, etc., permitted meagre access to the excavation, and only cableway buckets of small capacity could be used on this account.

In September, 1909, 2,503 feet of sewer was completed up to the east side of Broadway, leaving only restoration work unfinished to this point.

Effective work on the restoration of the surface and grades at the intersection of Broadway could be best accomplished for the greater part only at night, owing to traffic conditions. The balance of the sewer, from Broadway eastward, was constructed in tunnel, avoiding trouble with existing lines of ducts, mains, pipes, vaults, etc., and reducing obstruction to traffic to a minimum, as, except for a few shafts, access to buildings was uninterrupted.

A difficult connection with the intersecting sewer at Elm street was successfully constructed in tunnel, and a portion of a comparatively new sewer east of Elm street, at a 2 to 3-foot higher grade, but on the same line, was taken advantage of by shoring up the arch, and using it as a shield after removing the invert, later catching it up with brick by extending the sides of the new sewer,

for which it formed the crown, thereby effecting considerable saving.

The installation of five 12-foot lengths of 40-inch cast iron pipes by tunneling under the present subway, though difficult, was successfully accomplished, with no interferences to traffic, precaution being taken to support the subway roof from the inside by longitudinal timber bents resting on girders, spanning the proposed under-tunnel. This work was required to be done at night by special arrangement made with the Interborough Rapid Transit Company. A full width drift was carried through, removing earth and concrete up to the waterproofing; thin side walls of brick were then built, and the pipe placed, wedged up to line and grade, and the flanges bolted together, after which the entire space around the pipe was filled with concrete. It may be of interest to note that the concrete encountered beneath the subway was found to be exceptionally hard, and was cut out with great difficulty.

The Duane street sewer is now taking the sewage from the sewers on section 9-O-2 by means of some 300 feet of a temporary wooden flume.

Sections 9-O-2, 9-O-3, 9-O-4 and 9-O-5.—All sewer construction on these sections has been completed during the past year. Record drawings of sewers for these sections have been prepared, and those covering sections 9-O-2 and 9-O-3 were forwarded on November 22, 1910, with a request for acceptance by the Borough President of Manhattan.

Fourth Avenue Subway — Section M B Ex-1.—The published contract drawings of sewers for this section provided for the maintenance by the contractor of sewers recently constructed by the Brooklyn Bureau of Sewers to conform to subway lines and grades, as adopted at that time, consisting of a 42-inch and a 48-inch trunk sewer on the west side of Flatbush avenue, intercepting all the laterals on the intersecting streets from Fleet street north, and emptying into a 72-inch circular main sewer through Tillary street, crossing underneath the proposed subway where it was heavily reinforced.

Certain modifications to the grades of the subway tracks were later made, which necessitated changes in sewer plans, owing to interference with the Tillary street sewer. A twin box section.

each 4 feet high by 4 feet 6 inches wide, has been designed to be carried between the two subway levels at Tillary street at a slightly higher elevation than the originally named sewer, making reconstruction of the original sewers necessary on the west side of Flatbush avenue south of Tillary street, at a flatter grade and of a larger size, involving 274 feet of 4-foot circular, and 330 feet of 5-foot circular sewer; other minor details of sewer reconstruction are also necessary.

On this section, along the lines of the above modification, about half of the sewer work has been completed during 1910.

Section 9-C-1.—No actual sewer construction has been done on this section during the past year.

Construction drawings of sewers were prepared immediately after detail plans for the subway structure were completed, and on account of the complicated character of the details, extreme care was necessary; therefore, progress has been comparatively slow. Only such modifications in sewer lay-out were introduced as were compelled by changes in subway structure. Most of these were toward simplicity and economy.

Modification of the plan for the inverted siphon at Hudson avenue and Fulton street has been made by the introduction of several improved features. The three bottom pressure pipes were raised over 7 feet by carrying them through the subway floor, thereby reducing total lengths of pipe line, and avoiding deeper excavation.

An intermediate and direct clean-out chamber was substituted for the exterior chamber, thus doing away with a dead-end pipe, with a tendency to clog and obstruct the flow, and securing instead a uniform section throughout the entire siphon length.

The shaft of the new clean-out chamber has been designed larger, securing ample space for cleaning operations.

The grade of the dry-weather pressure pipe has been considerably increased toward the clean-out chamber.

Section 11-E-1 and 11-A-1.—Sewer construction was carried on on the east side of Fourth avenue between Butler and Sackett streets, consisting of about 500 feet of egg-shaped sewers, varying in size from 3' 6" x 2' 4" to 4' 3" x 2' 10".

The off-line sewer through Butler street and Third avenue, and the 24-inch dry-weather diversion at Baltic and Nevins streets have been completed.

At Hanson place, between South Elliott place and South Portland avenue, another off-line sewer is nearing completion. This is a 4-foot circular brick sewer built to permit the removal of the present sewer to Ashland place, and to discharge the flow into the South Portland avenue sewer. This branch is 35 feet deep and is being built in tunnel. Work is being prosecuted from two shafts with headings 6 feet by 6 feet in the clear, driven in both directions by the ordinary poling board method.

All the excavation has been completed. Aside from encountering a number of boulders and running into some loose material, no unusual difficulties have been encountered.

The Brooklyn Sewer Bureau being delayed in beginning the construction of the Classon avenue relief sewer, it is imperative to make temporary provisions for the remaining flow in the Fourth avenue storm sewer, as provided in the contract drawings, utilizing the easterly track of the subway, extending from Hanson place to Butler street, for drainage purposes, and constructing a temporary large inverted siphon underneath the subway for the run-off. Excavation for this siphon has been begun.

At the request of the chief engineer of the Brooklyn Bureau of Sewers, several modifications have been introduced in the contract plans for sewers. The original plans were prepared with a view of disturbing the drainage area as little as possible, entailing thereby a minimum amount of off-line sewer construction. The changes requested were for the purpose of providing a natural outlet underneath the subway through Butler street for an additional sewer, which may have to be built in the near future, to relieve the already surcharged Dean street sewer, by diverting considerable flow from it to the Butler street siphon.

The original contract plans on the east side of Fourth avenue called for a sewer varying from 3 feet 6 inches by 2 feet 4 inches to a 4-foot circular sewer, flowing from Baltic street northward, and discharging into the Dean street inverted siphon. This, in accordance with the request of the Bureau of Sewers, has now

been modified by reversing the direction of flow from Dean street into the Butler street inverted siphon, altering this siphon to conform to this changed arrangement. On account of being restrained from turning any dry weather flow into the relief sewer, it was also necessary to provide a 20-inch off-line sewer through Butler street and Third avenue to Baltic street, and a dry-weather pipe diversion at Baltic and Nevins streets. Additional 12-inch house sewers on the west side of Fourth avenue have also been provided in the modified contract, as requested.

The tabulation of the details of sewer construction for this section includes all the changes above noted.

Section 11-A-2.—On this section all the sewers between President and Seventh streets, including an inverted siphon crossing the latter street, have been completed, making a total of over 3,000 linear feet of sewers, varying in sizes from 3 feet 6 inches by 2 feet 4 inches egg-shaped to 9-foot circular sewers.

The longitudinal sewers were built prior to excavating for the subway, saving the construction and inconvenience of temporary flumes, and avoiding danger from flooding during storms.

All of the sewers, with the exception of the 3-feet 6-inch by 2-feet 4-inch, were built of concrete on collapsible forms, made of wooden ribs and sheet steel. The concrete was delivered from an electrically-driven portable mixer.

Movable platform derricks with electric hoists spanned the trench, and handled the excavation.

The inverted siphon at Seventh street, consisting of two 6-foot circular reinforced concrete pipes, and one 30-inch vitrified pipe, passes under the subway and takes the flow from the sewers on the east side of the subway, north and south of Seventh street. The reinforcement in the 6-foot pipes is both longitudinal and transverse, and the same method of construction was used as in the longitudinal sewers, the transverse rods being set in the invert strip and held in place by notched boards set just above the springing line. The flow from a 7-foot circular sewer had to be maintained during the construction of a part of this siphon, and was carried in a steel flume with vertical sides and semi-circular bottom built in sections and bolted together; this, being suspended

from overhead timbers, took up a minimum space and prevented leakage.

The sewers south of Seventh street and north of President street have not been built.

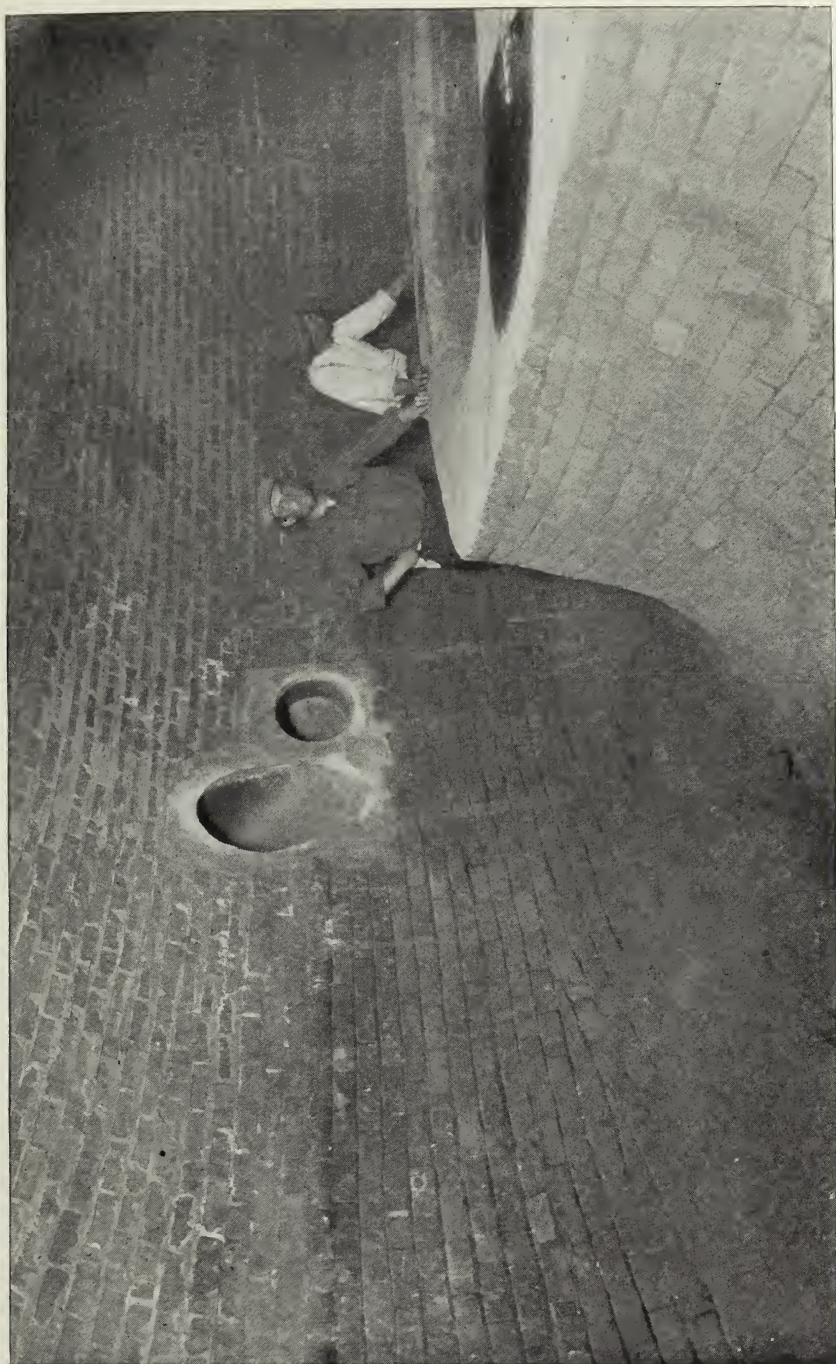
On the east side of Fourth avenue, between Sixth and President streets, and on the west side, between Sixth and Fourth streets, the nature of the soil encountered made pile foundations necessary, a reinforced concrete grillage being used. The piles, varying in length from 15 to 35 feet, were driven in bents not exceeding 5 feet on centers, with from two to four piles to the bent, depending upon the size of the sewer. This location was originally the site of an old mill pond.

To avoid underpinning of the church at the east side of Fourth avenue, between Eighth and Ninth streets, the flow has been reversed, allowing the installation of a 12-inch sewer instead of a 4-foot 6-inch by 3-foot on this street, contiguous to the building. The drainage is now turned north from Ninth street to the Seventh street inverted siphon, necessitating between Seventh and Eighth streets a larger sewer than was shown on the original contract plans. The contractor welcomed this modification in preference to the original plan.

Section 11-A-3.—With the exception of short stretches of 12-inch vitrified pipe, the building of receiving basins and setting of manhole heads, sewer work on this section has been practically completed; 8,200 linear feet of on-line, and about 1,700 feet of off-line sewer were built in advance of subway construction.

The general direction of the drainage flow on this section is westerly toward the trunk sewer on Third avenue, and the extensive drainage areas, encroaching on both adjacent sections, required large sewers and complicated design at intersecting connections to minimize whirling or eddy currents from opposing streams.

In connection with subway design, the existing sewers were modified by providing two main crossings underneath the subway at Twelfth and Twenty-sixth streets. The former is a continuous grade sewer equivalent to a 5-foot 6-inch circular, and serves the steep territory extending eastward to Prospect park, from Seventh



View of 9' 6" circular sewer at east chamber of Seventh street inverted siphon.

LIBRARY
OF THE
UNIVERSITY OF ILLINOIS.



Inverted siphon at Seventh street. View of two 6' circular reinforced concrete storm pipes, and one 30" dry weather pipe under subway.

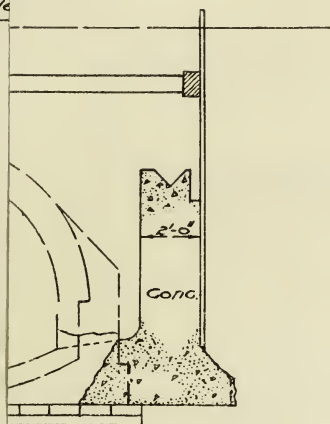
LIBRARY
OF THE
UNIVERSITY OF ILLINOIS.



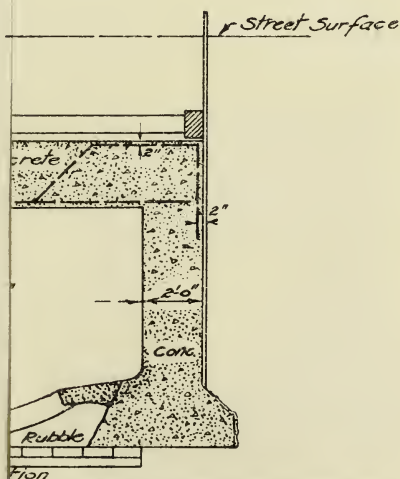
Trunk sewer on Third avenue, between 26th and 27th streets. Showing contemplated sidewalls and cofferdam to confine flow to right side of sewer to enable completion of invert on left side.

LIBRARY
OF THE
UNIVERSITY OF ILLINOIS.

Vehicle
Confining
this Side



Side Walls of New Sewer.
Sewer.

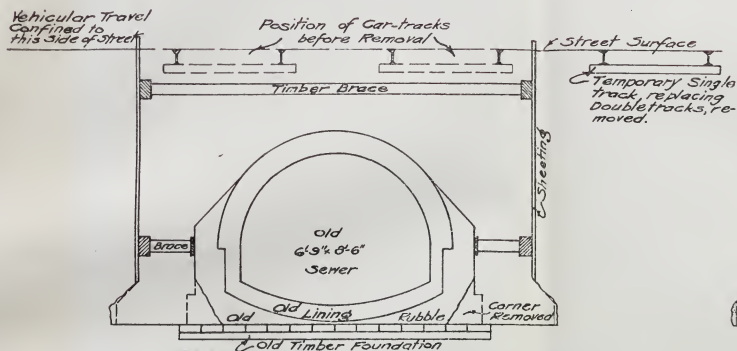


PUBLIC SERVICE COMM.

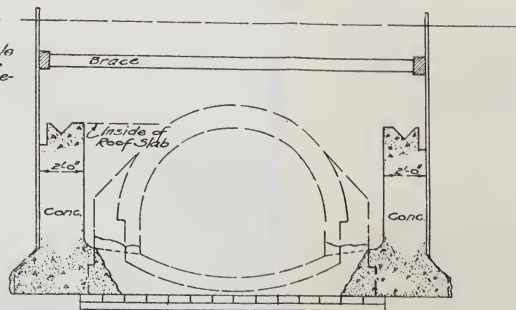
FOR THE 1ST DIST.

SEWER DIVISION.

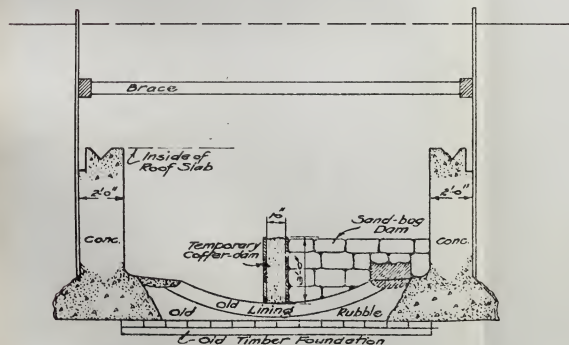
Sketch showing method of
Construction of New Sewer
in 3rd Ave. bet 26th & 27th St Bklyn
Dec. 3, 1910. DWG. No S-529.
CONT. 11-A-3. File No B-13



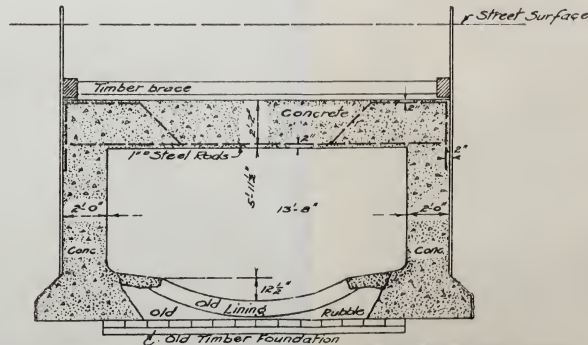
1ST OPERATION -
Removal of Car-tracks to side of Trench.
Completion of Full Section of Excavation.



2ND OPERATION -
Placing of Concrete Side Walls of New Sewer.
Removal of Arch of Old Sewer.



3RD OPERATION -
Placing of Coffier-dam and Sand-bag
dams to confine flow to one side.
Joining New and Old Invert sections.



4TH OPERATION -
Completion of Sewer Section -
Roof-slab in place.
Trench backfilled;
Tracks replaced;
Surface restored.

PUBLIC SERVICE COMM.
FOR THE 1ST DIST.
SEWER DIVISION.
Sketch showing method of
Construction of New Sewer
in 3rd Ave. bet 26th & 27th St. Bklyn
Dec. 3, 1910. Dwg. No. S-529.
CONT. 11-A-3. File No. B-12.

street to Prospect avenue, while the Twenty-sixth street inverted siphon crossing conveys the drainage between Prospect avenue and Thirty-seventh street, extending eastward to an irregular summit at Prospect, West, and Greenwood cemetery, into a new off-line sewer on Twenty-sixth street, leading into the Third avenue main, which was enlarged from Twenty-sixth to Twenty-seventh street in connection with this work.

The larger sewers on Fourth avenue were of concrete, collapsible forms being used, while the excavation was handled by locomotive cranes; the depth of the excavation, being often close to large brick buildings, required at times the completion of the sewer in alternate 15-foot pits as a precaution against damage; in one case corrugated steel sheeting was successfully used where the sewer was slightly over 9 inches from the building line, avoiding underpinning.

The reconstruction of the sewer on Third avenue, between Twenty-sixth and Twenty-seventh streets, to provide for the additional flow from the new Twenty-sixth street sewer, was done on a modified design to provide the least possible obstruction to traffic in a busy narrow street, equipped with a two-track surface line; the original sewer was of horse-shoe section, 6 feet 9 inches high by 8 feet 6 inches wide, flowing full, and lying very close to the surface; one-line car track was by-passed temporarily to permit excavation and a new rectangular sewer 7 feet high by 13 feet 8 inches wide was built outside of and enclosing the old sewer, using the original invert by bonding into and extending same; the old sewer was then removed.

The accompanying drawing, S-529, illustrates some of the details of the work. A full account of this construction was published in the Engineering Record of November 26, 1910.

Section 11-A-4.—Aside from excavation for the Thirty-fifth street inverted siphon, no sewer work has been started on this section. Modifications in sewer plans have been made to conform to changes in the design of the subway structure between Thirty-ninth and Fortieth streets, such changes consisting in the extension of the full subway width from Thirty-ninth to Fortieth street, requiring an additional amount of 12-inch pipe.

The following table gives, in condensed form, the total amount of sewer construction, on all contracts, during the year 1910.

SUMMARY OF SEWER CONSTRUCTION.

CONTRACT, OR LOCATION	On-line lin. feet	Off-line lin. feet.	Total lin. feet.	Per cent completed
181st street station.....	20	.....	20	100
Platform Ex. Con. No. 1.....	468	.....	468	100
Platform Ex. Con. No. 2.....	835	.....	835	95
Contract 9-0-1.....	.....	169	169	Contract modified.
Contract 9-0-2.....	65	.....	65	100
Contract 9-0-3.....	29	.....	29	100
Contract 9-0-4.....	259	337	596	98
Contract 9-0-5.....	1	.....	1	100
Total Centre street loop.....	354	506	860	95
Contract M. B. Ex. 1.....	545	.....	545	45
Contract 9-C-1.....	.....	.....	.....	0
Contract 11-E-1 & 11-A-1.....	862	1,120	1,982	20
Contract 11-A-2.....	4,405	.....	4,405	65
Contract 11-A-3.....	8,171	1,705	9,876	85
Contract 11-A-4.....	100	.....	100	3
Total Fourth avenue contract.....	14,083	2,825	16,908	50
Grand totals.....	15,760 ft. 3.0 miles	3,331 ft. 0.6 miles	19,091 ft. 3.6 miles	..... .....

The following tables give the linear feet of sewers built, those remaining to be built, and the linear feet and sizes of sewer removed, in connection with the construction of the Brooklyn Loop Lines, in Manhattan, and the Fourth Avenue Subway in Brooklyn:

DETAILS OF ON-LINE SEWERS TO DECEMBER 31, 1910 — BROOKLYN LOOP LINE.

Contract	CONTRACTOR	Date begun	Size	Lin. feet completed to Dec 31, 1910	Lin. feet to be completed	OLD SEWERS REMOVED	
						Lin. feet	Size
9-0-1.....	Bradley Contracting Co.....	Nov. 13, 1907	15" Vit. Pipe.....	31	225	130	12" Vit. Pipe.
			3'-6" x 2'-4" Egg.....	.....	25	615	4'-0" x 2'-8" Egg.
			4'-0" x 2'-8" Egg.....	.....	205	160	4' x 3'
			4'-6" x 3'-0" Egg.....	.....	290	180	4'-3" Circular.
9-0-2.....	Degnon Contracting Co.....	Mar. 30, 1908	Totals.....	31	745	80	5'-0" Circular.
			12" Vit. Pipe.....	236	.....	1,165	
			15" Vit. Pipe.....	1,942	.....	190	12" Vit. Pipe.
			36" Cast Iron Pipe.....	256	.....	40	15" Vit. Pipe.
9-0-3.....	Cranford Company.....	Sept. 9, 1908	3'-6" x 2'-4" Egg.....	582	.....	70	3'-0" x 2'-0" Egg.
			4'-0" x 2'-8" Egg.....	101	.....	900	3'-6" x 2'-4" Egg.
			4'-3" x 2'-10" Egg.....	514	.....	190	4'-0" x 2'-8" Egg.
			4'-6" x 3'-0" Egg.....	471	.....	920	4'-0" x 3'-0" Egg.
9-0-4.....	Bradley Contracting Co.....	June 22, 1908	2'-8" x 2'-8" in gallery.....	96	.....	.....	5'-6" Circular.
			Totals.....	4,218	.....	2,550	
			15" Vit. Pipe.....	1,239	.....	40	12" Vit. Pipe.
			24" Cast Iron Pipe.....	335	.....	720	4' x 2'-8" Egg.
9-0-5.....	Bradley Contracting Co.....	June 15, 1908	3'-6" x 2'-4" Egg.....	935	.....	35	5' Circular.
			4'-0" x 2'-8" Egg.....	65	.....	825	5'-8" Circular.
			2'-8" x 2'-8" in gallery.....	13	.....	.....	
			Totals.....	2,587	.....	1,620	
9-0-6.....	Bradley Contracting Co.....	June 15, 1908	15" Vit. Pipe.....	199	.....	47	4'-0" x 2'-8" Egg.
			20" Cast Iron Pipe.....	60	.....	.....	
			3'-6" x 2'-4" Egg.....	29	.....	.....	
			4'-0" x 2'-8" Egg.....	12	.....	.....	
9-0-7.....	Bradley Contracting Co.....	June 15, 1908	Totals.....	300	.....	47	
			15" Vit. Pipe.....	452	.....	160	12" Vit. Pipe.
			18" Vit. Pipe.....	226	.....	160	3'-6" x 2'-4" Egg.
			3'-6" x 2'-4" Egg.....	231	.....	120	4'-0" x 2'-8" Egg.
9-0-8.....	Bradley Contracting Co.....	June 15, 1908	4'-0" x 2'-8" Egg.....	72	.....	.....	
			Totals.....	981	.....	440	
			Grand totals.....	8,117	745	5,822	

DETAILS OF OFF-LINE SEWERS TO DECEMBER 31, 1910 — BROOKLYN LOOP LINE.

Contract	CONTRACTOR	Date begun	Size	Lin. feet completed to Dec. 31, 1910	Lin. feet to be completed	OLD SEWERS REMOVED	
						Lin. feet	Size
9-0-1.....	Bradley Contracting Co.....	Aug. 30, 1907	5'-3" x 3'..... 4'-4" Circular..... 5'-0" Circular..... 5'-3" Circular..... 5'-9" Circular..... 40" Cast Iron Pipe..... Twin 2'-6" x 3'-4"..... New Inv. 5'-3" x 3'-8"..... 4'-11" x 8'-10"..... 4'-2" x 3'-1"..... 4'-3" x 3'.....	195 653 504 923 1,127 58 40 177 349 7 6	..... ..... ..... ..... ..... ..... ..... ..... ..... ..... .....	2,625 390 43 290 200	4'-0" x 2'-8" Egg. 4'-0" Circular. 4'-3" Circular. 5'-0" Circular. 5'-6" x 6'-0"
	Totals.....			4,039	.....	3,548	
9-0-2.....	Degnon Contracting Co., contractor; Jas. Pilkington Construction Co., subcontractor.....	June 17, 1907	16" Cast Iron Pipe..... 60" Cast Iron Pipe..... 3'-6" x 2'-4" Egg..... 4'-0" x 2'-8" Lge..... 4'-4" Circular..... 4'-6" Circular..... 331 7'-0" Circular..... 7'-6" x 6' 0 3/4"..... New Inv. 3'-10" x 3'-10".....	64 121 99 15 457 331 1,346 262 698	..... ..... ..... ..... ..... ..... ..... ..... ..... .....	130 1,500 140 720	12" Vit. Pipe. 4'-0" x 2'-8" Egg. 5'-6" Circular. 6'-6" Circular.
	Totals.....			3,393	.....	2,490	
9-0-3.....	Cranford Co., contractor; Jas. Pilkington Construction Co., subcontractor..	Dec. 2, 1907	4'-3" x 2'-10" Egg.....	235	.....	.....	
9-0-4.....	Bradley Contracting Co.....	June 22, 1909	20" Cast Iron Pipe..... 4'-0" x 2'-8" Egg..... 2'-0" x 2'-6".....	108 465 132	..... ..... .....	765	4'-0" x 2'-8" Egg.
	Totals.....			705	.....	765	
9-0-5.....	Bradley Contracting Co.....	July 22, 1907	5'-6" x 2'-4" Egg..... 4'-0" x 2'-8" Egg.....	294 339	..... .....	300 260	3'-6" x 2'-4" Egg. 4'-0" x 2'-8" Egg.
	Totals.....			633	.....	560	
	Grand totals.....			9,005	.....	7,363	

MB Ex-1.	Smith, Scott & Co.....	Aug. 22, 1910	12" Vit. Pipe.....		520	325	5' x 3'-4" 4'-5" x 2'-11"
			12" Inv. in gallery.....	.....	128	280	
			4'-0" Circular.....	258	10	.....	
			5'-0" Circular.....	302	28	.....	
			Twin 4'-0" x 4'-6".....	.....	114	.....	
9-C-1.....	William Bradley.....	Not begun	Totals.....	560	800	605	
			12" Vit. Pipe.....	.....	1,863	.....	
			15" Vit. Pipe.....	.....	964	.....	
			18" Vit. Pipe.....	.....	501	.....	
			10" Cast Iron Pipe.....	.....	162	.....	
11-E-1 & 11-A-1.	William Bradley.....	Mar. 25, 1910	24" Cast Iron Pipe.....		354		12" Vit. Pipe. 15" Vit. Pipe. 18" Vit. Pipe. 30" x 20" 3'-6" Circular.
			36" Cast Iron Pipe.....	.....	112	.....	
			3'-6" x 2'-4" Egg.....	.....	115	.....	
			4'-0" x 2'-8" Egg.....	.....	103	.....	
			Totals.....	.....	3,474	.....	
			12" Vit. Pipe.....		2,050	675	
			15" Vit. Pipe.....	50	442	345	
			18" Vit. Pipe.....	.....	932	240	
			16" Cast Iron Pipe.....	.....	130	420	
			18" Cast Iron Pipe.....	.....	133	1,730	
			48" Cast Iron Pipe.....		266		
			3'-6" x 2'-4" Egg.....	.....	239	.....	
			4'-0" x 2'-8" Egg.....	267	84	.....	
			4'-3" x 2'-10" Egg.....	170	54	.....	
			4'-6" x 3'-0" Egg.....	110	223	.....	
			5'-3" x 3'-6" Egg.....	35	160		
			5'-9" x 3'-10" Egg.....	100	200	.....	
			8'-5" Circular.....	50	200	.....	
			Storm Sewer.....	30	185	.....	
			Totals.....	.....	2,150	.....	
				812	7,248	3,410	
							
							
							
							

DETAILS OF ON-LINE SEWERS TO DECEMBER 31, 1910 — FOURTH AVENUE ROUTE, BROOKLYN.

Contract	CONTRACTOR	Date begun	Size	Lin. feet completed to Dec. 31, 1910	Lin. feet to be completed	OLD SEWERS REMOVED Lin. feet	Size
11-A-2.....	E. E. Smith Contracting Co.	April 19, 1910	12" Vit. Pipe..... 15" Vit. Pipe..... 18" Vit. Pipe..... 30" Vit. Pipe..... 3'-6" x 2'-4" Egg..... 4'-3" x 2'-10" Egg..... 4'-6" x 3'-0" Egg..... 4'-9" x 3'-2" Egg..... 4'-0" Circular..... 4'-6" Circular..... 5'-0" Circular..... 6'-0" Circular..... 6'-3" Circular..... 7'-3" Circular..... 8'-0" Circular..... 8'-6" Circular..... 9'-0" Circular..... 9'-3" Circular..... 9'-6" Circular.....	 64 250 141 1,900 128 152 492 222 280 261 256 259	886 360 258 10 96 505 257 131 233 75 36 8 32 5 8 5 5 5	515 30 130 140 270 1,200 820	12" Vit. Pipe. 15" Vit. Pipe. 22" x 15" 30" x 20" 3'-6" x 2'-4" 5'-6" Circular. 7'-3" x 6'-0"
			Totals.....	4,405	2,915	3,105	
11-A-3.....	Tidewater Building Co., & T. B. Bryson	Jan. 27, 1910	12" Vit. Pipe..... 24" Vit. Pipe..... 4'-0" x 2'-8" Egg..... 3'-9" Circular..... 4'-0" Circular..... 4'-5" x 2'-10" Ramf..... 4'-3" Circular..... 4'-6" Circular..... 4'-9" Circular Ramf..... 4'-9" Circular..... 5'-0" Circular..... 5'-3" Circular..... 4'-0" x 6'-9".....	 3,477 81 245 249 554 187 496 1,088 1,072 1,248 281 71	468 15 11 29 10 33 45 20 10 14 12 10	5,230 265 225 60 110 565 796 45 525 260 773 80	12" Vit. Pipe. 18" x 12" 22" x 15" 18" Vit. Pipe. 3' x 2' 3'-2" x 2'-2" 3'-6" x 2'-6" 3'-9" x 2'-6" 3'-10" x 2'-7" 4' x 2'-6" 4'-5" x 2'-10"
			Totals.....	8,171	632	8,934	

11-A-4.....	E. E. Smith Contracting Co.....	Dec. 28, 1910	12" Vit. Pipe.....	.....	2,026	.....
			15" Vit. Pipe.....	.....	580	.....
			18" Vit. Pipe.....	.....	304	.....
			6" Cast Iron Pipe.....	30	96	.....
			24" Cast Iron Pipe.....	30	96	.....
			22" x 15" Egg.....	.....	114	.....
			3'-6" x 2'-4" Egg.....	.....	1,043	.....
			4'-6" x 3'-0" Egg.....	.....	260	.....
			4'-0" Circular.....	.....	260	.....
			4'-6" Circular.....	.....	220	.....
			Totals.....	60	5,059	.....

DETAILS OF OFF-LINE SEWERS TO DECEMBER 31, 1910 — FOURTH AVENUE ROUTE, BROOKLYN.

Contract	CONTRACTOR	Date begun	Size	Lin. feet completed to Dec. 31, 1910	Lin. feet to be completed	OLD SEWERS REMOVED	
						Lin. feet	Size
11-E-1 & 11-A-1.	William Bradley.	Sept. 24, 1910	20" Vit. Pipe.....	850	75	.....	
			24" Vit. Pipe.....	70	5	.....	
			4'-0" Circular.....	200	100	.....	
			6'-0" Circular.....	.....	242	.....	
			Totals.....	1,120	422	.....	
11-A-3.....	Tidewater Building Co., and T. B. Bryson.	Jan. 22, 1910.	5'-6" Circular.....	.....	.....	650	12" Vit. Pipe.
			7'-3" Circular.....	727	.....	40	18" x 12"
			7'-0" x 13'-8".....	700	15	680	3' x 2' Egg.
			.....	278	.....	270	6'-2" x 7'-11"
			Totals.....	1,705	15	1,640	

Tri-Borough Route.—During the first half of the year 1910, contract plans, consisting of ninety-nine standard size sheets, were prepared for the reconstruction of sewers for the proposed Tri-Borough subway.

The subway railroad contemplated being of the “shallow” type, involves the removal and rearrangement of all subsurface pipes, ducts and sewers along nearly its entire course; ample provision is made to replace the water and gas pipe crossings and duct lines, by providing a sufficient depth of cover over the subway; the sewers encountered being necessarily over twelve feet below the street surface, their adaptation to the subway line is a problem of no small magnitude.

The usual and most satisfactory method of modifying the sewerage system is to obtain a crossing underneath the subway, and continue this with an uninterrupted down grade by a trunk sewer to the nearest outlet or main. The sewers in the vicinity adjacent to the subway feed into this crossing, involving costly features, such as great depths for sewer excavation, deep house connections and large sized sewers.

The most conspicuous instance of the adoption of this method of sewer rearrangement is on Sections Nos. 5 and 6 of Route 5. A sewer crossing was obtained underneath the Lexington avenue subway at Thirtieth street, leading into a main sewer under this street to an independent outlet at the East river. The size of this sewer varies from an eight-foot circular to an equivalent nine-foot six-inch circular, and serves a territory along Lexington avenue extending from East Fourteenth street to East Forty-second street. This method has also been used, as shown on the contract plans, at various places on the different sections of the Tri-Borough route.

Where impossible to secure this type of sewer crossing, a crossing was effected through the subway roof, grades and cost permitting; inverted siphons being resorted to as a last expedient in only two instances, namely, on the Lexington avenue route at One Hundred and Sixth and One Hundred and Tenth streets. Occasionally, however, the sewers have been turned from their natural directions, leading away from the subway route to an available outlet.

In the following tabulation the total lengths of new sewers covered by the contract plans for the Tri-Borough route are given, and a comparison of new sewers required for a mile of subway route:

COMPARISON OF LENGTHS OF SEWERS AND SUBWAY.

ROUTE NUMBER	Length of subway miles	Length of new sewers miles	Length of new sewers per mile of subway miles
5.....	10.07	15.30	1.52
20.....	1.00	1.01	1.01
19 and 22, section 1.....	2.82	4.65	1.65
9-A-3 and 9-F.....	5.14	10.34	2.01
11-B.....	3.20	3.10	0.97
11-F-1.....	4.30	6.30	1.47
Totals.....	26.53	40.70	1.54

In the tables annexed the sizes, quantities, and costs of all sewers entering into the construction of the Tri-Borough route are given:

ROUTE 5 — TRI-BOROUGH ROUTE — SEWER QUANTITIES.

CLASSIFICATION		SECTIONS																	Totals
		1.	2.	2A.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12*.	13.	14H.	14K.	15.	
9,000	3,500		10,400	9,000	17,500	37,000	6,300	24,000	18,000	2,500	3,600	11,300	2,400	1,565	do.	16,900	172,963		
Rock excavated.. cu. yds.					3,800	27,000	5,800	2,200	2,500	700	1,900		260			900	43,080		
Tunnel excavated..cu. yds.	2,300	1,090	3,140	2,750	4,030	1,170	2,970	5,110	2,560	710	1,190	1,130	280			3,600	3,375		
Sidewalks.....sq. yds.	850	270	190	270	470	8,130	280	1,490	2,210	220	150	890	530	75	do.	2,000	32,080		
Roadways.....sq. yds.																	18,025		
12" Vit. Pipe.....ft.	1,250	1,760														2,900	2,900		
15" Vit. Pipe.....ft.	720		1,272	2,134	1,738	720	2,887	1,596	2,800	1,985	1,405	2,418	1,288			2,620	25,873		
18" C. I. Pipe.....ft.			543	170	280	1,055	830	1,758	530			830	364	290	do.	1,400	8,770		
20" C. I. Pipe.....ft.																	400		
24" C. I. Pipe.....ft.																	750		
30" C. I. Pipe.....ft.																30	30		
36" C. I. Pipe.....ft.					56							870	160				1,368		
42" C. I. Pipe.....ft.												590	170			190	836		
48" C. I. Pipe.....ft.		66				70			110	220		710	265			170	400		
54" C. I. Pipe.....ft.			624									454					776		
60" C. I. Pipe.....ft.																	889		
66" C. I. Pipe.....ft.																	451		
72" C. I. Pipe.....ft.																			
78" C. I. Pipe.....ft.																			
84" C. I. Pipe.....ft.																			
90" C. I. Pipe.....ft.	2,238	485	614	1,978	1,465	390	1,044	1,863	1,250	80	1,055	1,296	1,926	115	do.	960	16,964		
96" C. I. Pipe.....ft.																	80		
102" C. I. Pipe.....ft.																	340		
108" C. I. Pipe.....ft.	530	95	484	228	248	60	806	342	210		340			60	do.		2,581		
114" C. I. Pipe.....ft.					242												952		
120" C. I. Pipe.....ft.					246												242		
126" C. I. Pipe.....ft.																	246		
132" C. I. Pipe.....ft.																	70		
138" C. I. Pipe.....ft.					264					70							264		
144" C. I. Pipe.....ft.																	1,445		
150" C. I. Pipe.....ft.																	526		
156" C. I. Pipe.....ft.																	208		
162" C. I. Pipe.....ft.																	430		
168" C. I. Pipe.....ft.																	1,148		
174" C. I. Pipe.....ft.																	268		
180" C. I. Pipe.....ft.																	3,870		
186" C. I. Pipe.....ft.																	240		
192" C. I. Pipe.....ft.																			
198" C. I. Pipe.....ft.																			
204" C. I. Pipe.....ft.																			
210" C. I. Pipe.....ft.																			
216" C. I. Pipe.....ft.																			
222" C. I. Pipe.....ft.																			
228" C. I. Pipe.....ft.																			
234" C. I. Pipe.....ft.																			
240" C. I. Pipe.....ft.																			
246" C. I. Pipe.....ft.																			
252" C. I. Pipe.....ft.																			
258" C. I. Pipe.....ft.																			
264" C. I. Pipe.....ft.																			
270" C. I. Pipe.....ft.																			
276" C. I. Pipe.....ft.																			
282" C. I. Pipe.....ft.																			
288" C. I. Pipe.....ft.																			
294" C. I. Pipe.....ft.																			
300" C. I. Pipe.....ft.																			
306" C. I. Pipe.....ft.																			
312" C. I. Pipe.....ft.																			
318" C. I. Pipe.....ft.																			
324" C. I. Pipe.....ft.																			
330" C. I. Pipe.....ft.																			
336" C. I. Pipe.....ft.																			
342" C. I. Pipe.....ft.																			
348" C. I. Pipe.....ft.																			
354" C. I. Pipe.....ft.																			
360" C. I. Pipe.....ft.																			
366" C. I. Pipe.....ft.																			
372" C. I. Pipe.....ft.																			
378" C. I. Pipe.....ft.																			
384" C. I. Pipe.....ft.																			
390" C. I. Pipe.....ft.																			
396" C. I. Pipe.....ft.																			
402" C. I. Pipe.....ft.																			
408" C. I. Pipe.....ft.																			
414" C. I. Pipe.....ft.																			
420" C. I. Pipe.....ft.																			
426" C. I. Pipe.....ft.																			
432" C. I. Pipe.....ft.																			
438" C. I. Pipe.....ft.																			
444" C. I. Pipe.....ft.																			
450" C. I. Pipe.....ft.																			
456" C. I. Pipe.....ft.																			
462" C. I. Pipe.....ft.																			
468" C. I. Pipe.....ft.																			
474" C. I. Pipe.....ft.																			
480" C. I. Pipe.....ft.																			
486" C. I. Pipe.....ft.																			
492" C. I. Pipe.....ft.																			
498" C. I. Pipe.....ft.																			
504" C. I. Pipe.....ft.																			
510" C. I. Pipe.....ft.																			
516" C. I. Pipe.....ft.																			
522" C. I. Pipe.....ft.																			
528" C. I. Pipe.....ft.																			
534" C. I. Pipe.....ft.																			
540" C. I. Pipe.....ft.																			
546" C. I. Pipe.....ft.																			
552" C. I. Pipe.....ft.																			
558" C. I. Pipe.....ft.																			
564" C. I. Pipe.....ft.																			
570" C. I. Pipe.....ft.																			
576" C. I. Pipe.....ft.																			
582" C. I. Pipe.....ft.																			
588" C. I. Pipe.....ft.																			
594" C. I. Pipe.....ft.																			
600" C. I. Pipe.....ft.																			
606" C. I. Pipe.....ft.																			
612" C. I. Pipe.....ft.																			
618" C. I. Pipe.....ft.																			
624" C. I. Pipe.....ft.																			
630" C. I. Pipe.....ft.																			
636" C. I. Pipe.....ft.																			
642" C. I. Pipe.....ft.																			
648" C. I. Pipe.....ft.																			
654" C. I. Pipe.....ft.																			
660" C. I. Pipe.....ft.																			
666" C. I. Pipe.....ft.																			
672" C. I. Pipe.....ft.																			
678" C. I. Pipe.....ft.																			
684" C. I. Pipe.....ft.																			
690" C. I. Pipe.....ft.																			
696" C. I. Pipe.....ft.																			
702" C. I. Pipe.....ft.																			
708" C. I. Pipe.....ft.																			
714" C. I. Pipe.....ft.																			
720" C. I. Pipe.....ft.																			
726" C. I. Pipe.....ft.																			
732" C. I. Pipe.....ft.																			
738" C. I. Pipe.....ft.																			
744" C. I. Pipe.....ft.																			
750" C. I. Pipe.....ft.																			

ROUTE 5 — TRI-BOROUGH ROUTE — SEWER QUANTITIES — (Concluded).

CLASSIFICATION	SECTIONS															Totals		
	1.	2.	2A.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12*.	13.	14H.		14K.	15.
7'-0" Circular.....ft.									870	.....	.....	.....	.....	.....	.....	.....	.....	870 ft.
8'-0" Circular.....ft.							420	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	420 ft.
8'-9" Circular.....ft.							1,935	.....	520	.....	.....	.....	.....	.....	.....	.....	.....	520 ft.
9'-6" Circular.....ft.																		1,935 ft.
7' x 12'.....ft.																	320	1,305 ft.
Twin 4' x 5'-6".....ft.		82	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	82 ft.
Twin 4'-8" Circular.....ft.								50	.....	78	.....	.....	.....	.....	.....	.....	.....	78 ft.
Twin 4'-9" x 3'-9".....ft.																		50 ft.
Twin 6'-5" x 5'-0".....ft.							68	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	68 ft.
Triple Section.....ft.							102	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	102 ft.
4'-0" Circular Wooden..ft.							336	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	336 ft.
Totals.....ft.	4,738	2,488	738	5,166	4,510	6,029	8,676	6,174	7,477	6,208	2,660	3,670	6,901	3,738	1,450	** do.	10,170	80,793 ft.
Totals.....miles	0.90	0.47	0.01	0.98	0.86	1.14	1.64	1.17	1.42	1.18	0.50	0.70	1.31	0.71	0.28	.....	1.93	15.30 miles

NOTE.— All sewers within the limits of the subway trench are included in the above.

* The cast iron pipes for 106th street and 110th street inverted siphons are included.

** Quantities in column 14 K are same as in column 14 H.

SEWER QUANTITIES — TRI-BOROUGH ROUTE

CLASSIFICATION	ROUTE 9-A-3 & 9-F				ROUTE 20		
	Section 1	Section 2	Section 3	Totals	Section 1	Section 2	Totals
Earth Exc. c. y.	29,000	46,500	44,500	120,000	1,330	810	2,140
Sidewalks Rest. s. y. . .	2,620	6,500	7,400	16,520	300	225	525
Roadways Rest. s. y. . .	4,900	3,200	2,500	10,600	80	.....	80
12" Vit. Pipe, ft.	3,188	3,870	10,128	17,186	30	.....	30
15" Vit. Pipe, ft.	1,004	1,370	3,055	5,429	185	675	860
18" Vit. Pipe, ft.	933	900	1,160	2,993	.....	60	60
20" Vit. Pipe, ft.	478	1,035	715	2,228	.....	.....	.....
24" Vit. Pipe, ft. ....	.....	2,830	.....	2,830	.....	.....	.....
12" C. I. Pipe, ft. ....	.....	196	.....	196	.....	.....	.....
16" C. I. Pipe, ft. ....	.....	.....	70	70	.....	.....	.....
20" C. I. Pipe, ft. ....	.....	.....	.....	.....	.....	222	222
24" C. I. Pipe, ft. ....	.....	.....	.....	.....	.....	332	332
36" C. I. Pipe, ft. ....	.....	75	100	175	.....	244	244
42" C. I. Pipe, ft. ....	.....	78	.....	78	.....	.....	.....
48" C. I. Pipe, ft. ....	.....	40	.....	40	.....	.....	.....
3'-6" x 2'-4" ft.	4,350	1,608	1,755	7,713	15	250	265
3'-9" x 2'-6" ft.	1,100	780	1,065	2,945	.....	.....	.....
4'-0" x 2'-8" ft.	1,154	3,355	1,215	5,724	40	177	217
4'-3" x 2'-10" ft. ....	.....	.....	.....	.....	40	76	116
4'-6" x 3'-0" ft.	986	960	769	2,715	.....	.....	.....
4'-9" x 3'-2" ft. ....	.....	.....	10	10	.....	90	90
5'-0" x 3'-4" ft. ....	.....	.....	25	25	.....	.....	.....
5'-3" x 3'-6" ft. ....	.....	180	664	844	.....	.....	.....
3'-0" Circ. ft. ....	.....	.....	15	15	.....	.....	.....
4'-0" Circ. ft.	906	15	490	1,411	75	.....	75
4'-6" Circ. ft. ....	.....	375	.....	375	.....	.....	.....
4'-9" Circ. ft.	35	.....	.....	35	.....	.....	.....
5'-0" Circ. ft. ....	.....	540	.....	540	25	.....	25
5'-6" Circ. ft. ....	.....	.....	450	450	.....	260	260
5'-9" Circ. ft. ....	.....	.....	.....	.....	.....	275	275
6'-0" Circ. ft. ....	.....	.....	.....	.....	.....	250	250
6'-6" Circ. ft. ....	.....	.....	.....	.....	507	.....	507
7'-0" Circ. ft. ....	.....	.....	.....	.....	.....	36	36
13' x 15' ft. ....	.....	.....	128	128	.....	.....	.....
9'-6" x 13' ft.	424	.....	.....	424	.....	.....	.....
6'-0" x 10'-4" ft. ....	.....	.....	.....	.....	100	138	238
6'-0" x 12'-10" ft. ....	.....	.....	.....	.....	40	.....	40
6'-5" x 12'-10" ft. ....	.....	.....	.....	.....	397	.....	397
5'-2" x 15'-10" ft. ....	.....	.....	.....	.....	172	.....	172
6'-6" x 15'-10" ft. ....	.....	.....	.....	.....	610	.....	610
Totals, feet.	14,558	18,207	21,814	54,579	2,236	3,085	5,321
Totals, miles.	2.76	3.45	4.13	10.34	.42	.59	1.01

NOTE: All sewers within the limits of the subway trench are included in the above.

TRI-BOROUGH ROUTE — COSTS OF SEWERS — ROUTE 5.

SECTION	Length of sewers lin. feet	Engineer's estimate	Contractor's bid	Remarks
1.	4,738	\$73,000	\$95,000	Incl. 630' off-line.
2.	2,488	30,000	29,000	Incl. 200' off-line.
2a.	738	7,000	14,000	
3.	5,166	93,000	138,000	
4.	4,510	70,000	102,000	
5.	6,029	147,000	170,000	
6.	8,676	475,000	683,000	Incl. 2,793' off-line.
7.	6,174	103,000	83,000	
8.	7,477	179,000	271,000	Incl. 520' off-line.
9.	6,208	124,000	187,000	Incl. 1,440' off-line.
10.	2,660	29,000	41,000	Incl. 310' off-line.
11.	3,670	46,000	68,000	{ Incl. 60' off-line. Incl. 450' off-line.
12.	6,901	144,000	126,000	Incl. 2 inv. siphons.
13.	3,738	34,000	56,000	Incl. 510 off-line.
14K.	1,450	40,000	54,000	14-H { Eng. \$40,000. Cont. \$41,000.
15.	10,170	110,000	102,000	Incl. 2,220' off-line.
Totals.	80,793 ft. 15.3 mi.	\$1,704,000	\$2,219,000	Incl. 9,130' off-line. 1.73 miles.

TRI-BOROUGH ROUTE — COSTS OF SEWERS — (*Concluded*).

ROUTE 9-A-3 AND 9-F.

SECTION	Length of sewers lin. feet	Engineer's estimate	Contractor's bid	Remarks
1.....	14,558	\$235,000	\$156,000	Incl. 2,696' off-line.
2.....	18,207	307,000	330,000	Incl. 2,382' off-line.
3.....	21,814	308,000	192,000	Incl. 1,775' off-line.
Totals.....	54,579 ft. 10.34 mi.	\$850,000	\$678,000	Incl. 6,853' off-line. 1.3 miles.

ROUTE 20.

SECTION	Length of sewers lin. feet	Engineer's estimate	Contractor's bid	Remarks
1.....	2,236	\$73,000	\$79,000	
2.....	3,085	34,000	53,000	
Totals.....	5,321 ft. 1.01 mi.	\$107,000	\$132,000	

TOTAL COSTS.

SECTION	Length of sewers lin. feet	Engineer's estimate	Contractor's bid	Remarks
Route 5.....	80,793	\$1,704,000	\$2,219,000	
Route 9-A-3 and 9-F.....	54,579	850,000	678,000	
Route 20.....	5,321	107,000	132,000	
Grand totals.....	140,693 ft. 26.65 mi.	\$2,661,000	\$3,029,000	Incl. 15,983' off-line. 3.03 miles.

Investigation, One Hundred and Forty-ninth Street Siphon.—

Extended investigation of the One Hundred and Forty-ninth street inverted siphon was conducted during the year, with a view of ascertaining all the details of its operation at all stages of tide, and to obtain, from a study of these results, improvements to be incorporated in plans for future inverted siphons.

This inverted siphon was completed and turned into use on February 1, 1902, since which time it has been in constant operation. An analysis of the exhaustive observations which were made during July, 1910, pointed to some modifications in the design, which would tend to improve considerably its operation. The improvements suggested were, (1) the raising of the entrances and discharge ends of the storm pipes sufficiently above the invert to prevent the entrance of sanitary flow at all stages of the tide; and, (2) the omission of the sumps and the grooves for stop planks, the former having never been cleaned, and the latter never used.

The reported low cost of maintenance of this siphon proves the excellence of the principles of design involved, and furnishes an admirable standard for future construction.

Surveys.—The establishing of bench marks of points of known elevation, according to the datum established by the Rapid Transit Commission, for general construction purposes, has been and is one of the established functions of the Sewer Division, owing to the fact that this branch of the engineering staff covers the entire extent of subway routes.

The work is of a nature requiring great care and precision, and the most approved methods are used.

Benches established in 1906 and 1907 along routes now consolidated into the Tri-Borough scheme were re-run this year; and on Fourth avenue, Brooklyn, new elevations were established, as settlement was found where streets had been graded over originally low and swampy areas.

Benches on the Broadway-Lafayette avenue line checked closely, with very few exceptions, as was also the case with the Broadway-Lexington avenue route in Manhattan and The Bronx.

In addition to establishing bench marks along the entire subway routes for general use, it has been necessary to make complete base-line and topographical surveys on intersecting streets for off-line sewers, and to obtain subsurface sewer information on all streets on the line of the subway, and on intersecting streets.

The following tabulation gives location and mileage of surveys made during the year:

LOCATION	Route number	B. M. levels, miles	Single base-line, miles	Topography, miles	Subsurface sewer surveys, miles
Fourth Ave., Brooklyn...	11-A-1 to 11 A-4.....	4.4	1.1	0.2	0.2
New Utrecht Ave., Brooklyn.....	11-F-1.....	.....	.....	1.5	1.5
Fulton street, Brooklyn...	11-E-1.....	1.0	.....	.....	.....
Lafayette Ave., Brooklyn	9-A-3.....	2.4	.....	0.7	0.7
Broadway, Brooklyn.....	9-F.....	2.0	.....	0.9	0.9
Lexington Ave., Man.....	5.....	8.8	1.1	1.7	1.7
138th St., Bronx.....	19 and 22...	7.0	.....	.....	.....
So. Boulevard, Bronx.....					
Westchester Ave., Bronx }					
Total mileage.....	.....	25.6	2.2	5.2	5.0

EQUIPMENT, CONTRACTS NOS. 1 AND 2

During the year additional power and car equipment has been supplied by the Interborough Rapid Transit Company for the operation of the subway, as follows:

At the power station two low pressure turbines have been installed, which increased the rated capacity of the station 16,000 kilowatts. In the substations two 3,000 kw. and one 1,500 kw. rotaries, with transformers and switchboard equipments, have been installed. There have also been installed 60,000 feet of cable from substations to the contact rail, and two additional 3/0-3 conductor A. C. feeders between power station and substations 13 and 17.

In the Car Equipment Department progress has been made with the installation of electric brake and new type of draft gear. At intervals throughout the year additional steel motor cars, ordered under contract, were received, and it is expected that the entire 325 additional cars ordered will be delivered by the close of the year. Forty-seven of the composite motor cars that had been in use have been changed to trailers. The equipping of cars with anti-climber devices has progressed rapidly. Train starting signals have been installed on all cars, both express and local. As ordered by the Commission, practically all the express car equipment has been provided with side doors.

PENNSYLVANIA RAILROAD IMPROVEMENTS

The year 1910 has seen completed and in operation the tunnel railroad of the Pennsylvania Tunnel and Terminal Railroad Company, under the North and East rivers, connecting New York with New Jersey and the Borough of Queens, with its large terminal station located between Seventh and Ninth avenues and Thirty-first and Thirty-third streets, on which work was begun in the early part of 1903, under the franchise for its construction granted on October 9, 1902.

The following report quoted in full, furnished through the courtesy of Mr. Samuel Rea, Vice-President of the company, gives the progress of the work done during the year 1910, from January 1st to December 31st, inclusive.

"Track which has been partly laid during the year 1909 was completed as follows:

"Additional sidings in terminal station area between Tenth and Seventh avenues, 35 per cent in Tube 'C' of the East River tunnels and 45 per cent in Tube 'D' of the East River tunnels.

"In the Sunnyside yard 55 per cent or the balance of the tracks were laid and ballasted. A large part of the embankment in this yard was constructed during 1910, and fencing around the yard completed; the sewage system not previously reported having been completed early in the year.

"All tracks were lined, surfaced and completed, and all switches, interlocking and signals installed.

"The approach to Honeywell Street bridge, Gosman Avenue bridge, Track bridge No. 1 and Track bridge No. 4 were all completed.

"Buildings in the yard were completed as follows:

"Commissary building, store building, boiler-houses, substations, engine-house, battery repair building, oil house, inspection shed, machine and smith shop, four signal towers, sand house, carpenter shop, and two tool houses.

"The concourse roof of the station and all interior work were completed, as well as the service plant and equipment and extensions to the Long Island City power house. Also four substations located as follows:

"Harrison, Hackensack Portal, service plant, Long Island City power house.

"In addition, the buildings and equipment for six auxiliary substations and seven switching stations and blower houses and fences at the East River shaft opening were completed.

"A re-enforced concrete pole telegraph and telephone line from Harrison to Hackensack Portal, and cables through tunnels and in Sunnyside Yard were also completed.

"Fire alarm, third rail and emergency cut-out system were installed in the tunnels.

"Tunnel lighting and drainage system were completed, as well as all concrete track work in the station, and 2,000 feet of experimental section in the East River tunnels.

"The balance of the concrete work on the approaches to the tunnels in Long Island City was finished.

"Motors for the ventilation system were installed and fans placed in operation, all of the work being turned over for operation on November 27, so that the year 1910 marks the close of construction work, with the exception of a very few items to clean up the situation.

"At the conclusion of this work I desire to express to you and to the Public Service Commission my appreciation of the courteous treatment we have received from the Commission and from your Engineering Department, which was so essential and satisfactory in carrying out the extension of the Pennsylvania Railroad system into and through New York City."

HUDSON AND MANHATTAN RAILROAD COMPANY'S TUNNELS.

The tunnel railroad of the Hudson and Manhattan Railroad Company, known as the McAdoo Tunnels, from Hoboken and Jersey City to Manhattan, in operation to Twenty-third street station since September, 1909, and now in operation to its terminus at Thirty-third street, was last year constructed to Twenty-seventh street and Sixth avenue. During the year the remaining work, between Twenty-seventh and Thirty-third streets, was actively prosecuted, and this section of the road opened for operation on November 10th.

The stations at Twenty-eighth and at Thirty-third streets are

now nearly completed. Some incidental work remains to be done in the restoration of subsurface improvements, streets, etc., which work, now in progress, will be completed at an early date.

ARBITRATION OF EXTRA CLAIMS

The arbitration of claims, amounting to \$6,198,514.92, made by the contractor for extra work done under Contract No. 1, the Manhattan-Bronx Railroad, was continued during the greater part of the year, a considerable number of selected employees of the engineering department who were familiar with its details being employed on this work because of its intricacy.

During the early part of the year the contractor's claims for additional work on pipes (amounting to \$1,058,997.13) were studied and answered.

In July of this year the proceedings had reached a point where it was evident that all the preparatory work had been done and that it would now be necessary to explain minutely to the Board of Arbitrators all the details of the very great number of items and sub-items (each, as was said, "amounting to a lawsuit in itself"), and the consequent examination of witnesses on the stand, which procedure would not only take probably two years or more of time, but would also be very expensive. To avoid this expenditure of time and money, a protocol was drawn up and approved by the Commission, which arranged for a conference of the engineers and lawyers from each side, by means of which a settlement of the questions in dispute might be arrived at. It was further agreed in this protocol that any sum which might be allowed by the city and accepted by the contractor should be reserved for some of the following purposes approved by the Public Service Commission: (a) For the construction of new subways; (b) for additions hereafter made to existing subways, or for new equipment, where the additions are not allowed by the City of New York as extras under existing contracts.

Such a conference was held in August, and lasted about ten days, Commissioner Eustis and Assistant Corporation Counsel Francis J. Byrne also being present.

The conference was most successful, an agreement being reached, except on three or four points, which were quickly decided before the Board of Arbitrators, this agreement of course being

subject to the approval of the Commission and the contractor. This approval has now been obtained, and the agreement in its final shape has been sent to the Board of Estimate and Apportionment for approval.

By the terms of this agreement the contractor is to be allowed for extra work \$1,684,109.33 (this being the net total after deducting the amount, \$630,510.99, allowed the city on account of counter claims, omissions, etc.). In addition to this amount, the contractor is to receive \$576,425.25, being the balance unpaid on the \$35,000,000, or the contract price for the work; the question of paying this balance, however, not being in dispute.

CHAPTER IV.

FORMAL CASES BEFORE THE COMMISSION.

As indicated in the first chapter, there were under consideration by the Commission during the year 194 formal matters, of which 53 were undetermined at the end of the year. Volume II of this report contains reports in full of each of these cases. There is set forth in this chapter a brief summary of these formal matters. Twelve of them were applications with respect to securities, and there follows, in subdivision "A," a brief description of such cases. Subdivision "B" consists of a tabulation of the formal cases relating to other applications by companies for the approval, permission or consent of the Commission. Subdivision "C" contains a tabulation as to cases arising on complaint, and subdivision "D," as to cases arising on motion of the Commission.

Applications of companies or individuals under the Rapid Transit Act are not included herein, but are set forth in Chapter II, preceding.

A. APPLICATIONS FOR THE APPROVAL OF SECURITIES.

Case No.	Company	Description
1181.	Third Avenue Railroad Co.....	Issue of securities, second reorganization plan.
1305.	Metropolitan Street Railway Co.	Issue of securities, reorganization plan.
420.	Coney Isl. & Brooklyn R. R. Co..	Issue of \$462,000 bonds.
797.	Long Acre Elec. Lt. & Power Co.	Issue of \$10,000,000 preferred stock and \$50,000,000 bonds.
1109.	Coney Isl. & Brooklyn R. R. Co...	Issue of \$372,000 bonds.
1160.	Bronx Gas & Electric Co.....	Issue of \$1,500,000 bonds.
1174.	Kings County El. Lt. & P. Co..	Issue of \$5,000,000 convertible debenture bonds.
1218.	New York Edison Co.....	Issue of \$5,349,400 stock.
1228.	White's Express	Issue of securities.
1287.	Bronx Gas & Electric Co.....	Further issue of \$154,000,000 bonds.
1300.	Coney Isl. & Brooklyn R. R. Co..	Issue of \$500,000 notes.
1302.	Coney Isl. & Brooklyn R. R. Co..	Issue of \$109,740 additional bonds.

Third Avenue Railroad Company.—The property of the Third Avenue Railroad Company passed into the hands of a receiver,

appointed in January, 1908, in proceedings for the foreclosure of the consolidated mortgage, under which there had been issued bonds to the amount of \$37,560,000. The first proposal for the reorganization of the Third Avenue Railroad Company contemplated the issue of \$68,516,800 in securities in place of securities aggregating \$53,560,000, and was rejected by the Commission in 1909. Under the second plan submitted by a committee of the bondholders in December, 1909, it was proposed to continue the first mortgage bonds amounting to \$5,000,000 and to issue in addition the following securities:

First refunding 4 per cent bonds.....	\$15,790 00
Adjustment mortgage 5 per cent income bonds, cumulative after three years.....	22,536,000
Stock	16,590,000
	\$54,916,000

With the first mortgage bonds to be left undisturbed, the total securities under the plan proposed would have been approximately \$60,000,000.

All new securities were to be given to the consolidated mortgage bondholders, except \$6,400,000 in refunding bonds and \$7,200,000 in stock, which were to be assigned to the stockholders of the old Third Avenue Company on payment of an assessment of \$45 per share, or \$7,200,000 in the aggregate. The cash thus to be realized was intended for the payment of receivers' certificates, franchise taxes, and reorganization expenses, and for making provision to the extent of about \$2,000,000 for improvements on the lines of the Third Avenue Railroad Company and its subsidiaries.

While the petition was pending, the property covered by the consolidated mortgage was sold for \$26,000,000, subject to the first mortgage and other liens. It was purchased by the bondholders' committee. A new company, the Third Avenue Railroad Company, was organized for the purpose of taking over the property, and became a party to the proceedings before the Commission.

Holding "the proposition to be sound that capitalization should have a direct relation to value," the Commission made an investigation of the property against which the contemplated securities were to be issued. The total appraised value of the physical property on February 28th, as sold under foreclosure, was found to be \$35,100,000, and the value of the current assets \$1,750,000, making the total value \$36,850,000. Against these assets there were, however, liabilities estimated at \$18,710,000, including first mortgage bonds on the property of the old Third Avenue Company and its subsidiaries, amounting to nearly \$11,000,000, and receivers' certificates and other funded debt approximating \$5,000,000. The net equity in the property against which it was proposed to issue the new securities was thus about \$18,100,000. Allowing \$6,000,000 for the refunding of receivers' certificates and current obligations, \$800,000 for organization expenses, and \$2,000,000 for improvements of plant, there would thus have been a cash basis for securities amounting to \$27,000,000, or about one-half of the securities for which application was made.

Referring to the fundamental principle bearing on the relative amount of bonds and stocks, the Commission expressed its belief that "*the amount of capital represented by bonds should not be in excess of the amount upon which there is definite certainty that interest may be earned.*" It would obviously be unwise and useless to approve a plan which might easily mean another foreclosure and reorganization in a few years. This is the second time within ten years that the Third Avenue Company has been in the hands of a receiver. It is time that a conservative plan were adopted and upon such sound principles that another cataclysm will not be necessary."

The securities for which application was made required \$631,000 for the interest on the refunding bonds, and \$1,126,800 in interest on the income bonds, or approximately \$1,760,000 for interest alone. Dividends on stock at 6 per cent would consume nearly \$1,000,000 more. The new securities thus called for an annual net income of \$2,750,000.

The income available for the new securities, according to the statement submitted by the bondholders for the year ended September 30, 1909, was \$1,682,900. In these figures no allowance was

made for franchise taxes or depreciation. With an allowance for these items, the amount available for interest and dividends was reduced to \$1,300,000, or enough to pay interest on the new refunding bonds, but only about 3 per cent on the income bonds and nothing for dividends. Under favorable conditions of high earnings and low operating costs, it was estimated that the amount available would not suffice to pay five per cent on the income bonds. The Commission was therefore of opinion that the proposed securities were not justified by probable earnings.

The Commission delivered its opinion disapproving the plan, July 29, 1910. The issuance of a formal order was held in abeyance to give opportunity for an amended petition or further proof. An order denying the application was made September 16, 1910. On October 18, 1910, the bondholders' committee and the Third Avenue Railway Company filed a petition for a rehearing. On the basis of the hearing, and the data submitted, the Commission found no reason for modifying substantially its estimate of the value of the property or of the probable revenue. The request that the order of September 16th be abrogated was denied, and the petitioners have since made an appeal to the courts.

Metropolitan Street Railway Company.—A plan for the reorganization of the Metropolitan Street Railway Company was submitted to the Commission on December 27, 1910, by a committee of the bondholders, under the two foreclosed mortgages, as intending purchasers of the property. On December 30th an order was adopted setting a hearing on the proposed plan for January 11, 1911. Under the plan it is proposed to issue new securities aggregating \$64,851,500. The securities and liabilities now outstanding, including estimated cash requirements for reorganization, for which securities are to be issued, amount to \$135,950,000. These are made up of the following securities exclusive of those to be acquired under foreclosure: Bonds, debentures and collateral notes, \$53,585,000; stocks, \$62,108,000. In addition, there are the following liabilities: \$4,000,000 improvement notes made to the Metropolitan Securities Company; \$4,383,250.78 in accrued and defaulted interest on the bonds foreclosed and underlying bonds and notes, and \$1,875,000 in tort claims allowed by the court. It is further estimated that at the maximum \$10,000,000 in cash will

be needed to retire receivers' certificates and to meet other reorganization expenses.

Under the plan, bonds and stocks of underlying companies held by the public to the amount of \$31,454,000 are to be left undisturbed. The \$64,851,500 in new securities are to be used to adjust bonds and collateral notes amounting to \$31,639,000; stocks to the amount of \$52,600,000; improvement notes, accrued bond interest, tort claims allowed by court, amounting to \$10,258,250.78, and to provide for about \$10,000,000 in cash for reorganization expenses. The bonds represent \$12,500,000 general and collateral fives, and \$16,604,000 refunding fours of the Metropolitan Street Railway Company; \$600,000 Metropolitan Crosstown fives and \$1,935,000 unpaid Central Crosstown collateral notes. The stock is that of the Metropolitan Street Railway Company, except for \$600,000 in Central Crosstown stock. The items here given aggregate approximately \$104,500,000 for which it is proposed to issue securities for an amount reduced by approximately \$40,000,000.

The proposed securities are to consist of \$11,768,100 in 4 per cent bonds, \$38,933,400 in 5 per cent adjustment income bonds, and \$14,150,000 in stock (or certificates representative thereof). The holders of the foreclosed 5 per cent bonds (\$12,500,000) are to receive for principal and interest accrued adjustment bonds equal to the par value of their holdings, and an amount equal to 50 per cent of the par value of new 4 per cent bonds. The holders of the foreclosed 4 per cent bonds are to receive for their principal and interest, two-thirds of the par value of their holdings in adjustment bonds and one-third in the new 4 per cent bonds. Holders of Central Crosstown notes and Metropolitan Crosstown bonds are likewise to receive in the new fours and adjustment bonds an amount equal to the par value of their holdings. Tort claimants are to be given the amount of their claims as allowed by court in new adjustment bonds and in addition the equivalent of 50 per cent of the amount in new 4 per cent bonds.

Holders of the improvement notes made to the Metropolitan Securities Company and stockholders are to be allowed to participate in providing for the cash needs of the new company. In return they are to receive in new adjustment bonds the par equivalent of their cash contribution, to be determined when the actual cash requirements are known, and in addition \$25 in the new stock. The adjustment income bonds are to have voting rights

(one vote for each \$100), and also the right to elect one less than the majority of the board of directors until the full five per cent income is assured.

The Commission has set for January 11, 1911, a hearing upon this plan of reorganization.

Coney Island and Brooklyn Railroad.—The decision of October 22, 1909, related to an application for permission to issue bonds covering work estimated to cost \$297,000. The estimates of the company were found to be not excessive but the work to be mostly replacement of structure and material no longer serviceable. A portion estimated at \$85,000 was regarded as improvement or betterment. The character of the betterment in question is indicated as being the excess cost of new track that is heavier and laid in a better and more expensive manner than the old. The policy of providing for replacements by new issues of securities is strongly condemned as leading to "a constantly increasing capitalization representing a constantly decreasing property and equipment, resulting in false statements by public service corporations as to their assets in public reports and in reports to stockholders." As 4 per cent bonds could not be sold for more than 80, the amount necessary to provide \$85,000 was \$107,000; the \$22,000 discount was to be distributed over the term of the bonds and charged to income. This order was modified on March 8, 1910, because the company had not been prepared originally to take full advantage of the Commission's position that betterments and replacements should be carefully separated and only the former capitalized. Upon the basis of its experience in completing a large part of the work in question, also, the company had found that the work would cost \$67,649.02 in excess of the amount previously estimated. Of the new total, \$120,531.10 was claimed to be betterments or improvements. These figures, having been checked by the engineers of the Commission, were accepted as reasonable. Accordingly the authorization was increased to \$151,000.

Another application by the same company was passed upon July 29, 1910. The petition was for an issue of \$462,000, later altered to \$568,500, of bonds, the items being \$428,000 for reconstructing its railroad on Coney Island avenue, pursuant to law, moving it from the side to the center of the street; \$16,000 balance of cost of 10 new cars (above \$30,000 car-trust bonds) ordered by the Commission; \$7,241.26 cost of new construction of vestibules on 100 cars; and \$13,443.67, the proportion of the cost of a new ap-

proach to the Brooklyn bridge borne by this company. The company withdrew from further consideration an item of \$82,973, balance (over money raised by sale of stock) of cost of reconstructing its power system. The company put the cost of the new construction on Coney Island avenue at \$378,269 (not including legal expenses). The estimate of the Commission's engineers was \$353,468, including percentages for contractor's overhead charges and profit and for engineering and incidentals. The engineers of the company and of the Commission concurred in putting the cost to reproduce the existing structure on Coney Island avenue at \$140,291, of which they agreed \$49,898 was to be charged to depreciation and \$10,676 might be recovered as salvage, leaving \$79,717, the value of present construction abandoned. The portion of the new work corresponding to the difference between \$353,468 and \$140,291 or \$213,177, it was decided, represents additions to property, and this may properly be paid for out of the proceeds of bonds. The \$79,719, loss of material not worn out (abandoned by reason of legislative enactment), it might ordinarily be advisable to meet at once out of earnings. Permanent capitalization supposes permanent additions to the company's property. In view, however, of the large expenditures for reconstruction which it is compelled to make out of earnings, the company may be allowed to issue bonds for this amount, but it must make annual payments to a sinking fund sufficient to pay off the amount in twenty years. Legal and similar expenses incident to the changes, amounting to \$62,051.50, were allowed to be permanently capitalized to the extent of one-half. The other half, although bonds may be issued for it, must be paid in twenty years by creating a sinking fund. The \$49,898 depreciation must not be met from the proceeds of the bonds. The \$10,676 salvage takes care of itself. The items for new cars and for vestibuling were allowed as additions and betterments. The \$13,443.67 for bridge work should be paid for out of earnings, because the title to the property is in the city, which can terminate the tenure of the company on three months' notice without payment. But, for reasons given above, the company was permitted to avail itself of the sinking-fund method. The total amount to be provided by issuing bonds thus was \$391,630. The probable necessary discount increased this to \$489,539. This discount must be spread over the term of the bonds and amortized from the income of the company as a condition of the issuance of any of these bonds.

The application for permission to issue notes for \$500,000 is concerned only with the method of financing the loans above considered. The opinion of the Commission cites the facts that the company is reluctant to sell the bonds at 80, but it needs some of the money almost at once. It proposes, therefore, to issue notes secured by \$625,000 of bonds, hoping for an opportunity within three years to sell the bonds at a better price. The notes are to be due January 1, 1914, to bear 6 per cent interest and be sold at not less than 98. The holder of the bonds may, by the terms of the agreement, take them at 85, and the company may redeem the notes at 101 and thus release the bonds. Meanwhile the bonds are issued, but not sold. The decision of December 30, 1910, accepts this method of financing, but upon condition that the sinking fund, relating to a part of these loans, be forthwith established and that the \$10,000 discount on the notes be amortized out of income before January 1, 1914.

The last petition of the company, now pending before the Commission, relates to the issue of additional bonds for \$109,740 to provide funds "spent for various purposes out of income up to June 30, 1910, and charged to capital, but for which your petitioner has not issued bonds or stocks." The company states that it desires to substitute this issue for a portion of the \$625,000 of bonds called for by the above scheme, it having agreed to pledge them with the Equitable Trust Company as trustee. By this substitution, it expects to be able to pay in part its floating debt, \$175,000 of promissory notes being about to mature. Without this substitution, it alleges it will not be allowed to market the bonds for which it now asks approval, because it has agreed with the buyers of the notes that it will not issue further bonds other than those so to be pledged. The company promises to hold the bonds withdrawn from the pledge until the notes are paid.

Long Acre Electric Light and Power Company.—In February, 1908, this company applied to the Commission for approval of \$10,000,000 of preferred stock and \$50,000,000 bonds, which application was denied by the Commission for reasons set forth at length in the published opinion. After a second denial, on rehearing, the company appealed to the courts and in 1910 obtained an order from the Appellate Division annulling the determination of the Commission and referring the application back to the Commission for consideration. New hearings began December 7, 1910,

but no decision had been rendered by the Commission at the close of the year and the matter was then pending.

Bronx Gas and Electric Company.— In September, 1909, this company applied to the Commission for consent to issue \$1,500,000 par value of first mortgage bonds, of which amount \$740,000 was to be issued forthwith. The Commission in November of last year approved the issue of \$625,000 par value of bonds, reducing the amount applied for by \$115,000, which the company had proposed to issue to pay taxes, certain notes and expenses of refunding the outstanding \$500,000 of bonds. Upon the company's application for a rehearing, the Commission later in the year reopened the case, and on January 14, 1910, amended its order so as to permit the issue of an additional \$18,000 of bonds, of which \$15,000 might be used to pay necessary expenses of refunding the \$500,000 issue, and \$3,000 to meet a discount of 5 per cent in the sale of \$60,000 worth of bonds. Under the provisions of the order, the company was required to establish sinking funds which would amortize the \$83,000 of debt expense inside of ten years. At the rehearing, the company renewed its request for approval of \$90,000 additional bonds to meet bills payable and to pay taxes. Later in the year, the company made another application for authorization of bonds to the amount of \$153,000, of which about \$60,000 was for the purpose of reimbursing its own treasury for expenditures on plant and property made out of income, and \$86,000 was for the purpose of making additions and extensions to its plant. The Public Service Commissions Law having in the meantime been amended so as to permit the Commissions to approve securities issued for the reimbursement of monies expended on capital account, the Commission on December 30, 1910, adopted an order authorizing such issue. The order also permitted the issue of \$7,700 of bonds to meet the expense of sale, but this amount of bonds must be retired in not more than ten years, and for the purpose of providing for such retirement of bonds the company was required to establish a sinking fund with an annual contribution of not less than \$700; the said fund to be invested in the company's own bonds.

Kings County Electric Light and Power Company.— In October, 1909, this company made application to the Commission for an order authorizing it to issue \$5,000,000 par value convertible debenture bonds bearing interest at 6 per cent. The hearings developed that about one-half the issue was to

be used to reimburse the treasury of the Kings County Company and its proprietary company, the Edison Electric Illuminating Company, which had joined in the application, and the applicants were unable to point out any provision of law which authorized the Commission to approve the issue of securities for the reimbursement of funds. The two companies being anxious to secure funds for additions and betterments without delay, thereupon submitted two amended applications, each of which requested the approval of the issuance of debentures to the amount of \$2,500,000. The Commission expedited the proceedings relating to the issue of \$2,500,000 for necessary improvements which were to be made in the years 1909 and 1910, and on January 24, 1910, adopted an order authorizing such issue at par and accrued interest. It was provided that \$1,000,000 should be used for additions and extensions to the physical property of the Kings County Electric Light and Power Company, and that the remaining \$1,500,000 should be loaned to the Edison Company in return for demand notes without interest; the money so loaned to be used by the Edison Company for making additions and extensions of its physical property. None of the proceeds of the bonds, however, should be expended until an itemized list of the proposed expenditures had been submitted to the Commission, and the Commission had by resolution granted authority for the withdrawal of funds from the bond account. In accordance with the provisions of this order, the company has been submitting monthly statements showing the expenditures on account of fixed capital in detail, and these statements have been carefully checked by the Commission for the purpose of eliminating items not properly chargeable to the capital account. Late in the year the companies applied to the Commission for an amendment of the order pertaining to the division of the expenditures between the two companies, and on December 31, 1910, the order was amended so as to provide that \$250,000 of the improvements should be the property of the Kings County Company, and that the Edison Company should have title to the remaining \$2,250,000. The second petition of the two companies for approval of \$2,500,000 bonds for reimbursement of funds expended out of income was taken up later in the year, after the Public Service Commissions Law had been amended by the Legislature, and numerous hearings were held but no decision reached up to the close of the year.

The New York Edison Company.—In February, 1910, this company applied to the Commission for consent to issue stock to the amount of \$5,349,400, the proceeds to be used in discharging \$4,312,000 of 5 per cent bonds issued under a mortgage made by the Edison Electric Illuminating Company of New York, which was due March 14, 1910, and also \$988,000 of 5 per cent bonds issued under a mortgage of the Mount Morris Electric Light Company, which was not due until September 1, 1940, but which bonds might be called in for redemption at 105. Upon investigation the fact was developed that the Mount Morris bonds had been sold at 80, and that the proceeds of the issue, which had gone into plant and property, therefore amounted to only \$790,400. The Commission could not therefore grant a certificate to the effect that \$1,037,400 was necessary for the purpose of acquiring property or refunding lawful obligations of the company, and the order which it adopted approving the issue of additional stock required that not more than 80 per cent of the par value of bonds redeemed should be paid out of the proceeds of the stock issue, and any discount, premium, or other charge on bonds should be paid out of other funds. The balance of the \$5,349,400 (\$247,000) could be used only for extensions and additions to the plant and property of the New York Edison Company. While the stock was to be issued at par, it was provided that it should be acquired by the Consolidated Gas Company, the sole owner of the New York Edison Company, at the same price, thus preventing the purchase of the stock by any intermediaries at par and subsequent sale to the holding company at the advanced price at which this stock has been quoted at occasional sales in the past.

White's Express Company.—This company sought the opinion of the Commission as to whether it was necessary to secure the approval of the Commission for the issue of additional stock, and on April 1, 1910, the Commission adopted an opinion as to its jurisdiction over the company. It was stated that the company conducted a purely local business involving the transfer of packages between various points in New York and Brooklyn for certain firms and individuals. The Commission found that this business was not such as to bring the company within the definition of common carrier in the Public Service Commissions Law, which "was intended to include only such express companies as use in some way a railroad or railroads in the transaction of their business."

B. APPLICATIONS BY COMPANIES OTHER THAN AS TO SECURITIES.

APPLICATIONS UNDER SECTION 53 OF PUBLIC SERVICE COMMISSIONS LAW

Case	COMPANY	Description	Disposition
491	Nassau Electric Railroad Co.	Loop, Atlantic and Fourth avenues.	Pending till franchise grant.
769	Union Railway Co. of New York City.	Two Hundred and Thirtieth street, Bailey avenue to Broadway.	Pending — grade crossing to be avoided.
1193	New York and Queens County Railway Co.	Queensboro bridge.....	Granted January 7, 1910.
1199	Bush Terminal Railroad Co.	Four thousand three hundred feet track at Thirty-ninth street ferry, Brooklyn.	Granted April 5, 1910.
1232	Third Avenue Bridge.....	Queensboro bridge and connection with Third Avenue Railroad Co.	Granted June 14, 1910.
1238	Staten Island Rapid Transit Railway Co.	Crossing streets, north shore Staten Island.	Granted June 28, 1910.
1244	Union Railway Co. of New York City.	University Heights bridge extension.	Granted July 8, 1910.
1254	New York Dock Railway...	Waterfront road, Brooklyn...	Pending.
1277	Union Railway Co. of New York City.	One Hundred and Sixty-seventh street extension.	Granted October 11, 1910.
1290	Staten Island Rapid Transit Railway Co.	Crossing of Western avenue..	Granted December 13, 1910.

CERTIFICATES OF CONVENIENCE AND A NECESSITY

1200	Manhattan Bridge Cent Line.	Three Desbrosses street ferry to Flatbush and Atlantic avenues via Manhattan bridge.	Granted July 12, 1910.
1231	Third Avenue Bridge Co....	Queensboro bridge and connection with Third Avenue Railroad Co.	Granted June 14, 1910.
1240	New York Dock Railway...	Waterfront road, Brooklyn...	Pending.
1242	City and Suburban Railway Co.	Road in Queens and Nassau Counties.	Petition informal.
1279	Jay Street Connecting Railroad.	Freight road foot of Jay street	Granted December 20, 1910.
1284	Brooklyn and Jamaica Bay Railway Co.	Montauk avenue from Liberty avenue to Jamaica Bay.	Pending.

MISCELLANEOUS FRANCHISE APPLICATIONS

787	Long Island Railroad Co...	Franchise for surface line on Atlantic avenue.	Commission enjoined.
811	New York, Westchester and Boston Railway Co.	Proposed change in route and method of construction.	Pending.
1249	New York Dock Railway...	Application for certificate showing publication of certificate of incorporation.	Granted June 30, 1910.
1285	New York Dock Railway...	Application for certificate showing publication of amended certificate of incorporation.	Pending.

APPLICATIONS RE CHANGES OF MOTIVE POWER

1180	Second Avenue Railroad Co.	Worth street underground electric.	Granted July 28, 1910.
1298	Forty-second Street, Manhattanville and St. Nicholas Avenue Railway Co.	One Hundred and Tenth street Crosstown line storage battery.	Pending.

B. APPLICATIONS BY COMPANIES, ETC.— (*Continued*).

APPLICATIONS RE LEASES AND CONTRACTS

Case	COMPANY	Description	Disposition
1236	Canarsie Railroad Co.	Lease to Brooklyn Union Elevated Railroad Co.	Approved May 27, 1910.
1237	Third Avenue Bridge Co. . .	Providing for through operation of Third avenue cars.	Approved June 14, 1910.
1252	Pennsylvania Tunnel and Terminal Railroad Co.	Pennsylvania Railroad to operate tunnels to June 1, 1911.	Approved July 12, 1910.

MISCELLANEOUS APPLICATIONS

1185	New York City Interborough Railway Co.	Abandonment of portion of route.	Approved February 4, 1910.
1187	New York and Queens County Railway Co.	Abandonment of portion of Dutch Kills line.	Approved February 14, 1910.
1203	Long Island Railroad Co. . .	Deviation from plan of Glen-dale cut-off.	Approved April 12, 1910.
1276	Kings County Lighting Co..	Sliding scale for reduction in price of gas.	Pending.
1282	Second Avenue Railroad Co.	Abandonment of portion of route.	Denied for informality December 16, 1910

APPLICATIONS RE STATION DISCONTINUANCE AND RELOCATION

1149	Long Island Railroad Co. . .	Discontinuance of platforms, Gaston avenue.	Granted, with a provision for adequate new station.
1186	Brooklyn Union Elevated Railroad Co.	Discontinuance of Linwood station, Fulton street-Kings County line.	Granted, with a provision for adequate new station, but the company afterwards decided not to avail itself of the permission granted to it by the Commission because of certain objections.
1226	Staten Island Railway Co..	Discontinuance of station at Annadale.	Granted, with a provision for adequate new station.
1229	Long Island Railroad Co. . . .	Relocation of station at Brooklyn Hills.	Granted, with a provision for adequate new station.
1230	Long Island Railroad Co. . . .	Discontinuance of Ramblersville station.	Pending, owing to undetermined state of plans of streets leading to site of proposed new station.
1245	South Brooklyn Railway Co.	Discontinuance and relocation of station stop at Vanderbilt avenue and Seeley street.	Closed on records as it appeared that the company had lawful authority to make the desired change without Commission's approval.
1269	Staten Island Rapid Transit Railway Co.	Discontinuance of freight station, West New Brighton.	Granted, with a provision for adequate new station.

APPLICATIONS RE GRADE CROSSINGS

New York Central and Hudson River Railroad Co.	Determination of grade of East One Hundred and Sixty-seventh street to be opened across company's tracks.	Examined and approved bids and plans of construction.
278 New York Central and Hudson River Railroad Co.	Application of City of New York for opening West Two Hundred and Thirty-fourth street.	Pending, owing to undetermined state of certain street plans of city.
430 Long Island Railroad Co. . . .	Application of City of New York for opening Chester street.	Pending, owing to injunction against city.
543 Long Island Electric Railway Co.	Overhead crossing, Jamaica and Hempstead turnpike.	Granted extension to June 1, 1912, to maintain temporary crossing, permission to cease upon separation of crossing of Long Island Railroad.

B. APPLICATIONS BY COMPANIES, ETC.—(*Concluded*).APPLICATIONS RE GRADE CROSSINGS — (*Concluded*).

Case	COMPANY	Description	Disposition
555	Long Island Railroad Co. and Brooklyn Union Elevated Railroad Co.	Application of City of New York for opening Avenue P.	Discontinued.
770	Union Railway Co. of New York City.	Grade crossing on Two Hundred and Thirtieth street.	Pending, as company had not procured necessary franchise rights at point.
1130	Long Island Railroad Co...	Discontinuance of road crossing.	Calamus Granted, with provision for overhead crossing by new street.
1196	New York Central and Hudson River Railroad Co.	Application of City of New York for opening West One Hundred and Thirty-fifth street.	Granted.
1197	Nassau Electric Railroad Co.	Application of City of New York for opening New Utrecht, Eighth and Tenth avenues.	Granted as to Eighth and Tenth avenues, and denied as to New Utrecht avenue.
1201	Long Island Railroad Co....	Application of City of New York for opening Suydam street and Willoughby avenue.	Granted.
1202	Long Island Railroad Co....	Application of City of New York for opening Starr street.	Granted.
1234	Brooklyn, Bath and West End Railroad Co.	Application of City of New York for opening Forty-third street.	Record closed, as wrong company was named in proceedings before Board of Estimate.
1267	Long Island Railroad Co...	Changes in Lawrence street and other grade crossings on North Side Division, Flushing.	Record closed, as matter was fully disposed of in Case No. 1266, on Commission's motion, to eliminate these crossings.

C. PROCEEDINGS UPON COMPLAINT.

<i>Case No.</i>	<i>Company and Subject.</i>	<i>Action of Commission.</i>
351.	BROOKLYN UNION ELEVATED R. R. Co. <i>et al.</i> —J. Monheimer, Complainant.	
353.	BROOKLYN UNION ELEVATED R. R. Co. <i>et al.</i> —Scott MacReynolds, Complainant. Reduction of fare to Coney Island from ten cents to five cents.	March 8, 1910, Opinions and orders dismissing complaints.
391.	INTERBOROUGH RAPID TRANSIT Co.—Board of Aldermen, Complainant. Escalator at 125th Street and Eighth Avenue elevated station.	April 1, 1910, Order extending company's time to construct escalator. Escalator constructed.
459.	INTERBOROUGH RAPID TRANSIT Co.—Republican District Committee, Complainant. Escalator at 155th Street elevated station.	Matter undetermined in view of failure of an arrangement between company and City as to cost of construction.
512.	NEW YORK, NEW HAVEN & HARTFORD R. R. Co.—Henry G. Kost, Complainant. Smoke nuisance from round house at Harlem River yard.	June 24, 1910, Order after hearing, extending time of company to remove round house at Harlem River yard.
588.	NEW YORK CITY INTERBOROUGH RY. Co.—Robert C. Wood, Complainant. Failure to construct railroads in The Bronx under franchise.	Matter pending undetermined, as company had obtained extension of time from City authorities.
636.	LONG ISLAND R. R. Co.—26th Ward Board of Trade, Complainant. Reduction of fare from Flatbush Avenue to Railroad Avenue, Atlantic Avenue division, from ten cents to five cents.	April 26, 1910, Order dismissing complaint.
800.	FULTON STREET R. R. Co.—Malory S. S. Co. <i>et al.</i> , Complainants. Restoration of car service on Fulton Street line.	December 13, 1910, Order dismissing complaint, company not having equipment or trackage rights for operation and matter of forfeiture of franchise having been referred to Attorney-General.
850.	YONKERS RY. Co. AND UNION RY. Co. OF NEW YORK CITY.—Nathan A. Warren, Complainant. Discontinuance of through routes between Yonkers and New York.	September 23, 1910, Order dismissing complaint as arrangement satisfactory to complainant had been made.
1005.	INTERBOROUGH RAPID TRANSIT Co.—Public Safety Committee of New York City Federation of Women's Clubs <i>et al.</i> , Complainants. Lack of destination signs in subway trains.	January 18, 1910, Order requiring additional destination signs in cars and stations and route maps at stations.
1026.	BROOKLYN HEIGHTS R. R. Co.—A. J. O'Neil, Complainant. Noisy operation of cars on Tompkins Avenue.	September 23, 1910, Order discontinuing proceeding; company had remedied defects.
1057.	BROOKLYN HEIGHTS R. R. Co.—Thomas F. Crean, Complainant. Service on Flatbush Avenue line.	November 23, 1910. Order dismissing proceeding, service having been improved.
1123.	NEW YORK CENTRAL AND HUDSON RIVER R. R. Co.—Adolph Alexander <i>et al.</i> , Complainants. Noise caused by letting off steam by engines at Sedgwick Avenue, 161st to 165th Street.	September 13, 1910, Order dismissing complaint; inspection showed causes of complaint had not continued.
1134.	CONEY ISLAND AND BROOKLYN R. R. Co.—Jonas Monheimer, Complainant. Reduction of fare from New York to Coney Island on week days from ten cents to five cents.	Hearings held; matter undetermined at end of year.
1150.	BROOKLYN HEIGHTS R. R. Co. <i>et al.</i> —Congress of the Knights of Labor, Complainant. Use of one-third vestibule cars by companies in Brooklyn and Queens.	May 17, 1910, Opinion and order directing companies to equip with full vestibules all additional cars of the closed convertible or semi-convertible type.

C. PROCEEDINGS UPON COMPLAINT—(*Continued*).

<i>Case No.</i>	<i>Company and Subject.</i>	<i>Action of Commission.</i>
1161.	NEW YORK CENTRAL AND HUDSON RIVER R. R. Co. AND NEW YORK AND HARLEM R. R. Co.—Taxpayers' Alliance of The Bronx, Complainant. Train service in The Bronx and rates of fare.	Hearings held and adjourned subject to call to permit additional witnesses to be called by complainant.
1178.	DRY DOCK, EAST BROADWAY AND BATTERY R. R. Co.—Wilson & Towne Paper Co. <i>et al.</i> , Complainants. Condition of tracks on North Moore Street.	May 17, 1910, Order discontinuing proceeding, as receiver for company had relaid tracks.
1179.	LONG ISLAND R. R. Co.—24th Ward Board of Trade, Complainant. Operation of steam cars in Atlantic Avenue subway.	Matter pending, in view of company's answer that under Act for construction of subway it had right to operate freight trains by steam, and of informal attention given to matter by Transportation Department.
1183.	NEW YORK CENTRAL AND HUDSON RIVER R. R. Co.—George L. Willson, Complainant. Maintenance of tracks between Spuyten Duyvil and 68th Street in excess of double track system.	Matter pending, in view of litigation between City and company as to rights in question.
1216.	INTERBOROUGH RAPID TRANSIT Co.—Ormond G. Smith <i>et al.</i> , Complainants. Sale of magazines at subway and elevated station news stands.	October 7, 1910, Opinion and order dismissing proceeding on ground of lack of jurisdiction.
1224.	QUEENS BOROUGH GAS AND ELEC. CO.—W. J. Spiegel <i>et al.</i> , Complainants. Rate for gas.	Hearings held and investigations made. October 31, 1910, company requested Commission to fix maximum gas and electric rates to be established experimentally for one year. Investigation proceeding to fix rates accordingly.
1225.	QUEENS BOROUGH GAS AND ELECTRIC Co.—S. A. Meyers <i>et al.</i> , Complainants. Rate for electricity.	
1235.	NEW YORK, NEW HAVEN & HARTFORD R. R. Co.—Ethel E. Bailey <i>et al.</i> , Complainants. Excess fare from Casanova to Bartow station.	October 25, 1910, Order dismissing complaint as satisfied.
1256.	STATEN ISLAND RY. Co.—C. D. Tabor <i>et al.</i> , Complainants. Station facilities at New Dorp and condition of New Dorp Avenue crossing.	November 18, 1910, Order directing company to install crossing gates at New Dorp Avenue crossing, the rest of the complaint having been satisfied by company.
1273.	KINGS COUNTY LTG. Co.—John G. Mayhew <i>et al.</i> , Complainants. Rate for gas in 30th Ward, Brooklyn.	Hearings held, and continuing.
1275.	BROOKLYN HEIGHTS R. R. Co. <i>et al.</i> —John J. A. Rogers, Complainant. Local and joint passenger tariffs of companies of Brooklyn Rapid Transit system.	December 13, 1910, Opinion and order dismissing complaint as satisfied; companies agreed to make changes in transfer system as recommended by Commission's Transportation Department.
1280.	BROOKLYN BOROUGH GAS Co. AND KINGS COUNTY LTG. Co.—Edward G. Baltz <i>et al.</i> , Complainants. Rate for gas in 31st Ward, Brooklyn.	Hearings held. November 22, 1910, Brooklyn Borough Gas Co. requested Commission to fix rate for company to be established experimentally for one year and thereafter if satisfactory. Investigation proceeding to make a determination accordingly.
1283.	NEW YORK CENTRAL AND HUDSON RIVER R. R. Co.—Geo. L. Willson, Complainant. Noise and smoke nuisance and other improper operation of railroad along Riverside Drive.	Hearings held, and continuing.
1299.	NEW YORK CITY INTERBOROUGH RY. Co. AND UNION RY. Co. OF NEW YORK CITY.—East Tremont Taxpayers' Association, Complainant. Failure to exchange transfers at Boston Road and East 177th Street.	December 13, 1910, Order that complaint be satisfied or answered. Union Ry. Co. answered that it would satisfy the complaint.

C. PROCEEDINGS UPON COMPLAINT — (*Concluded*).

<i>Case No.</i>	<i>Company and Subject.</i>	<i>Action of Commission.</i>
1303.	NASSAU ELECTRIC R. R. Co.— Frederick Koch, Complainant. Noise by cars on Ocean Avenue and Avenue F., Brooklyn.	December 27, 1910, Order that complaint be satisfied or answered.

D. PROCEEDINGS ON MOTION OF COMMISSION.

<i>Case No.</i>	<i>Company and Subject.</i>	<i>Action of Commission.</i>
	CENTRAL R. R. Co. OF NEW JERSEY.— Inspection and testing of steam locomotive boilers.	March 8, 1910, Resolution extending time of Central R. R. Co. of New Jersey for inspection of parts of a certain engine. (See also Case No. 1301.)
121.	INTERBOROUGH RAPID TRANSIT Co.— Block signal system on local subway tracks.	Hearings held; adjourned to 1911.
360.	NASSAU ELECTRIC R. R. Co.— Service on Seventh Avenue and Flatbush-Seventh Avenue lines.	July 15, 1910, Order discontinuing proceeding, improvements in service having been made.
372.	BROOKLYN HEIGHTS R. R. Co.— Service on Flatbush-Seventh Avenue line.	July 15, 1910, Order discontinuing proceeding, improvements in service having been made.
392.	INTERBOROUGH RAPID TRANSIT Co.— Service on Second Avenue elevated line.	September 13, 1910, Order abrogating previous order for increase of service, the matter having been covered by order in Case No. 1217.
453.	NEW YORK CITY RY. Co.— Service on 14th Street and Williamsburg Bridge line.	December 13, 1910, Order discontinuing proceeding, as operation of cars had been transferred to receivers of Metropolitan St. Ry. Co. and Commission had, in another proceeding, directed improvement of service.
556.	INTERBOROUGH RAPID TRANSIT Co.— Extension of Broadway subway express service to Kingsbridge, and Broadway subway local service to Dyckman Street.	April 1, 1910, Order to operate certain local northbound trains through to Dyckman Street, making all stops, and to maintain southbound local service.
577.	ELECTRICAL CORPORATIONS.— Uniform system of accounts.	June 24, 1910, Order modifying order of December 8, 1908, so as to reclassify accounts as to transmission and distribution of subway rent. December 23, 1910, Hearing ordered as to order of June 24, 1910.
623.	SOUTH BROOKLYN RY. Co.— Safety precautions at Van Sicklen station, Culver line.	July 15, 1910, Order discontinuing proceeding.
745.	NEW YORK CENTRAL AND HUDSON RIVER R. R. Co.— Operation of freight trains on Eleventh Avenue.	November 23 and December 5, 1910, Orders suspending restrictions as to freight train operation during certain hours, while street reconstruction work was going on, upon condition of protection of crossings by flagmen.
786 and 796.	THIRD AVENUE R. R. Co., 42D ST., MANHATTANVILLE & ST. NICHOLAS AVENUE RY. CO., AND CENTRAL PARK, NORTH & EAST RIVER R. R. Co.— Establishment of through routes and joint rates.	Further action not taken after hearings to fix through route and joint rate, in view of pendency of proceedings in Court to review order for through routes and joint rates between Metropolitan St. Ry. Co. and Central Park, North and East River R. R. Co., under original Public Service Commissions Law.
832.	NASSAU ELECTRIC R. R. Co.— Service on St. John's Place line.	March 15, 1910, Order modifying order of November 11, 1908, directing changes and increase in service. March 22, 1910, Order extending time to comply with modifying order of March 15, 1910.

D. PROCEEDINGS ON MOTION OF COMMISSION — (*Continued*).

Case

No. Company and Subject.

839. INTERBOROUGH RAPID TRANSIT CO.
— Maintenance of vending and weighing
machines in Brooklyn-Manhattan rapid
transit railroad.

854. BROOKLYN UNION ELEVATED R. R.
Co.—Terminal facilities at Cypress
Hills station.

1047. METROPOLITAN ST. RY. CO. AND
OTHER STREET RAILROAD COMPANIES IN
Manhattan and The Bronx.—Fenders
and wheelguards.

1048. BROOKLYN HEIGHTS R. R. CO. AND
OTHER STREET RAILROAD COMPANIES IN
Brooklyn and Queens. Fenders and
wheelguards.

1066. NEW YORK & QUEENS COUNTY RY.
Co.—Double-tracking Flushing-Jamaica
and Flushing-College Point lines.

1087. CONEY ISLAND AND BROOKLYN R.
R. Co.—Repairs to tracks on Franklin
Avenue line.

1088. NASSAU ELECTRIC R. R. Co.—
Service on Fatbush-Seventh Avenue line.

1100. ELECTRIC CORPORATIONS.—Certi-
fying types of electric current energy
meters.

1101. ELECTRICAL CORPORATIONS. Dis-
continuance of certain types of electric
current energy meters.

1137. STREET RAILROAD CORPORATIONS.
—Monthly reports.

1138. STREET RAILROAD CORPORATIONS
AND ELECTRIC RAILROAD CORPORATIONS.
—Quarterly reports.

Action of Commission.

June 10, 1910, Order discontinuing pro-
ceeding as litigation between City and
company affecting question had been
decided unfavorably to City.

May 17 and Dec. 2, 1910, Orders extend-
ing company's time in regard to im-
provements at terminal, as plans of
Long Island R. R. Co. for additional
transit facilities from Manhattan to
Jamaica had not been settled, and as
company had made certain changes
relieving congestion at station.

February 1 and March 4, 1910, Orders
as to equipping of scraper cars with
wheelguards and as to certain type of
wheelguard used by Metropolitan St.
Ry. Co. June 28, 1910, Order as to
equipping with wheelguards sprinkling
cars of Union Ry. Co.

February 11, 1910, Order after rehear-
ings directing Brooklyn Heights R.
R. Co. *et al.* to equip cars also with
wheelguards. October 21, 1910, Or-
der extending time of Brooklyn
Heights R. R. Co. *et al.* to equip
cars with wheelguards. January 11,
1910, Order extending time of Coney
Island and Brooklyn R. R. Co. to
equip cars with wheelguards.

March 18 and 29, 1910, Order after
rehearing, directing Coney Island and
Brooklyn R. R. Co. to equip cars
also with wheelguards.

April 22, 1910, Order approving type of
wheelguards to be used by Brooklyn
Heights R. R. Co. *et al.* June 7,
1910, Same order as to Coney Island
and Brooklyn R. R. Co.

May 27 and November 25, 1910, Orders
extending company's time for con-
structing additional trackage, as appli-
cation by the company to the City for
necessary additional franchise had not
been determined.

November 11, 1910, Order to relay or
overhaul and repair tracks.

July 15, 1910, Order discontinuing pro-
ceeding, service having been improved.

January 7 and June 24, 1910, Orders cer-
tifying additional types of meters.

Matter pending, but covered by Case No.
1189.

February 15 and August 2, 1910, Or-
ders making changes in form of re-
port.

February 8, March 1, July 26, August
16 and September 1, 1910, Orders
extending time of various companies
to file reports.

August 2, 1910, Order making changes
in form of report.

February 8, February 15, March 1,
July 26, August 16, September 1 and
December 9, 1910, Orders extending
time of various companies to file
reports.

D. PROCEEDINGS ON MOTION OF COMMISSION — (*Continued*).

<i>Case No.</i>	<i>Company and Subject.</i>	<i>Action of Commission.</i>
1140.	BROOKLYN UNION EL. R. R. Co.—Proposal for new station at Pitkin avenue and Jerome Street, Fulton Street-Kings County elevated line.	January 28, 1910, Opinion and order discontinuing proceeding.
1142.	COMMON CARRIERS, RAILROAD CORPORATIONS AND STREET RAILROAD CORPORATIONS.—Reporting and investigation of accidents.	April 8, 1910, Opinion that railroad corporations whose business within the city consisted of operating ferry boats across the Hudson River were not required to make reports of accidents to and upon such ferry boats.
1154.	ELECTRICAL CORPORATIONS. Electric meter tests and standard forms of reports.	January 7 and June 24, 1910, Orders modifying order of October 26, 1910, so as to add certain types of meters.
1166.	NEW YORK AND QUEENS COUNTY RAILWAY Co.—Inquiry as to right to operate cars across Queensboro bridge.	February 8, 1910, Order discontinuing proceeding.
1167.	LONG ISLAND R. R. Co.—Inquiry as to accident on Atlantic Avenue division to Frederick R. Roome.	June 17, 1910, Order discontinuing proceeding.
1170.	INTERBOROUGH RAPID TRANS. CO. AND STREET RAILROAD CORPORATIONS within the City of New York.—Heating and heating regulations as to closed passenger cars.	January 4, 11, 14, 18 and 25, 1910, Orders approving certain forms of notice of regulations to be posted in cars. January 21, 1910, Order extending time of New York and Queens County Ry. Co. to comply with Order for heating with respect to certain cars.
1171.	YONKERS R. R. Co.—Fenders and wheelguards.	April 22, 1910, Order after rehearing so as to require company to equip cars only with wheelguards.
1175.	STEAM RAILROAD CORPORATIONS.—Quarterly reports.	September 1, 1910, Order extending time of Staten Island Ry. Co. and Staten Island Rapid Transit Ry. Co. for filing report for quarter ending June 30, 1910.
1177.	INTERBOROUGH RAP. TRANS. Co.—Lighting of cars and stations.	February 15 and March 18, 1910, Orders directing company properly to illuminate subway stations and to equip subsequently acquired subway passenger cars with automatic storage battery lighting appliance. April 1, 1910, Order extending to May 15, 1910, company's time as to illuminating subway stations.
1184.	SOUTH SHORE TRACTION Co.—Wheelguards.	February 4, 1910, Order extending company's time to equip cars with wheelguards. February 25, 1910, Order approving type of wheelguards.
1189.	ELECTRICAL CORPORATIONS.—Discontinuing use of electric current energy meters not conforming to specifications.	February 15 and May 6, 1910, Orders extending time of Flatbush Gas Co. and Queens Borough Gas and Electric Co. for discontinuing certain meters.
1190.	INTERBOROUGH RAP. TRANS. Co.—Operation of subway side-door cars.	January 4 and 7, 1910, Opinion and orders directing company to operate all its side-door trains during certain periods and to use the side doors at certain stations.
1191.	LONG ISLAND R. R. Co.—Stations and station platforms.	April 5 and December 7, 1910, Opinions and orders directing company to equip certain stations on Atlantic Avenue and Old Southern divisions with higher and longer platforms as described.
1192.	LONG ISLAND R. R. Co.—Platform gates, vestibules and doors on electric trains.	April 5 and June 7, 1910, Opinion and orders directing that company equip electric trains operated exclusively within the district with platform gates or vestibule doors and with trap doors, that these should not be opened or raised while trains were in motion, and that trains be provided with proper complements of men.

D. PROCEEDINGS ON MOTION OF COMMISSION — (*Continued*).

<i>Case No.</i>	<i>Company and Subject.</i>	<i>Action of Commission.</i>
1194.	METROPOLITAN ST. RY. CO.—Service on 116th St. Crosstown line.	January 7, 1910, Opinion and order directing increase in service.
1195.	LONG ISLAND R. R. CO.—Safety precautions at Grant Avenue and Napier Place crossing, Atlantic Avenue division.	January 14 and Feb. 18, 1910, Opinion and orders directing company to construct crossing gates.
1198.	RAILROAD CORPORATIONS AND STREET RAILROAD CORPORATIONS.—Filing of franchise and corporate documents.	February 8, 11, 23, March 1, 11, 15, 18, 22, April 1, 5, May 1, June 3 and July 1, 1910, Orders extending time of various companies to comply with order of December 24, 1909.
1204.	BROOKLYN UNION EL. R. R. CO.—Inquiry as to an accident on Williamsburg bridge.	Hearings held and report thereon, February 18, 1910.
1205.	SOUTH SHORE TRACTION CO.—Information as to stock issues.	January 11, 1910, Order directing company to file certain information.
1206.	SOUTH BROOKLYN RY. CO. AND BROOKLYN, QUEENS COUNTY AND SUB-URBAN R. R. CO.—Inquiry as to discontinuance of through service to Coney Island on Reid Avenue line.	Hearings held. Matter of car schedules taken up with company by Transportation Department.
1207.	BROOKLYN HEIGHTS R. R. CO. <i>et al.</i> —Inquiry as to facilities for dealing with snow-storms.	Hearings held. Companies agreed to purchase additional equipment.
1208.	RICHMOND LIGHT AND R. R. CO. <i>et al.</i> —Inquiry as to facilities for dealing with snow-storms.	Hearings held. Companies agreed to improve facilities.
1209.	NEW YORK CENTRAL AND HUDSON RIVER R. R. CO. AND INTERBOROUGH RAP. TRANS. CO.—Emission of water and cinders from engines on elevated tracks on Eighth avenue near Putnam bridge.	January 28, 1910, Order directing Interborough Rap. Trans. Co. to install proper drip pans.
1210.	RAILROAD CORPORATIONS AND STREET RAILROAD CORPORATIONS.—Information as to car motors, car bodies and car trucks.	January 18, 1910, Order requiring semi-annual and other reports.
1211.	INTERBOROUGH RAP. TRANS. CO.—Service on subway lines.	February 18 and April 5, 1910, Orders directing company to operate, during each half hour period, trains to provide a number of seats equal to the number of passengers or the maximum number of trains that could be operated with the company's subway cars, trains to be operated at not less than certain intervals of time. February 25, March 7, 18, and April 4, 1910, Orders extending time of company to comply. July 12, August 15 and September 1 and September 9, 1910, Orders suspending for limited periods part of order as to interval of time between trains. September 30, 1910, Order denying further suspension.
1212.	STATEN ISLAND RAP. TRANS. RY. CO. <i>et al.</i> —Shelter at St. George terminal.	Hearings held. March 17, 1910, report of progress, stating that additional facilities would be made available.
1213.	ELECTRICAL CORPORATIONS.—Statement as to operations for 1909.	February 4, 1910, Order for filing statement. February 18, 1910, Order extending time of Long Acre Elec. Light & Power Co. to file statement.
1214.	GAS CORPORATIONS.—Statement as to operations for 1909.	February 4, 1910, Order for filing statement. February 18, 1910, Order extending time of certain companies to file statement.

D. PROCEEDINGS ON MOTION OF COMMISSION — (*Continued*).

<i>Case No.</i>	<i>Company and Subject.</i>	<i>Action of Commission.</i>
1215.	INTERBOROUGH RAP. TRANS. CO.—Additional covering at City Hall station and additional stairway at 149th Street station, Third Avenue elevated line.	February 18, 1910, Order directing improvements in question. May 17, 1910, Order extending company's time to make improvements.
1217.	INTERBOROUGH RAP. TRANS. CO.—Service on elevated lines.	April 5 and 11, 1910, Orders directing company to operate on elevated lines, during half-hour periods, trains to furnish a number of seats at least equal to the number of passengers or the maximum number of trains that can be operated with the company's cars, trains to be operated at not less than certain intervals of time. July 15, August 15 and September 1, 1910, Orders suspending for limited periods the parts of order as to interval of time between trains.
1219.	LONG ISLAND R. R. CO.—Inquiry as to an accident near Glendale Junction, Montauk division.	Hearings held. April 12, 1910, Report by presiding Commissioner and communication to company as to its failure properly to report accidents. As result of conferences with companies operating trains at grade, companies posted notices of warning against trespassing on railroads.
1220.	GAS CORPORATIONS AND ELECTRICAL CORPORATIONS.—Annual report for 1909.	March 22, 1910, Order prescribing form and requiring filing. April 26, 1910, Order extending time of various companies to file report.
1221.	LONG ISLAND R. R. CO.—Safety precautions at Higbie Avenue and Springfield Avenue grade crossings, Queens Borough.	April 22, 1910, Opinion and order directing installation of crossing gates at Springfield Avenue and Higbie Avenue grade crossings on Old Southern branch and Springfield Avenue crossing on Montauk division.
1222.	YONKERS R. R. CO.—Inquiry as to equipment of wheelguards and fenders on company's cars.	Hearings held. Inquiry closed.
1223.	INTERBOROUGH RAP. TRANS. CO. <i>et al.</i> —Information as to officers and their compensation.	March 11, 1910, Order requiring filing information. March 18 and 22, 1910, Order extending companies' time to file information. March 29, 1910, Order abrogating order of March 11, 1910.
1227.	ELECTRICAL SUBWAY CORPORATIONS.—Report for year ending December 31, 1909.	March 29, 1910, Order directing filing of report.
1228.	WHITE'S EXPRESS CO.—Jurisdiction over application for approval of issue of securities.	April 1, 1910, Opinion that company was not a "common carrier" within term used in the Public Service Commissions Law.
1233.	NEW YORK & QUEENS COUNTY RY. CO.—Equipment and service.	Hearings held, as a result of which company ordered and placed in service twenty-five additional cars.
1239.	INTERBOROUGH RAP. TRANS. CO.—Inquiry as to an accidental collision on subway near Mott Avenue station.	Hearings held. Inquiry closed.
1241.	METROPOLITAN ST. RY. CO. AND INTERBOROUGH RAP. TRANS. CO.—Relocation of elevated pillars at Ninth Avenue and Fifty-third Street.	June 11, 1910, Order requiring relocation of certain pillars so as to furnish safer clearance between the pillars and cars passing around curve at corner.
1243.	STREET AND ELECTRIC RAILROAD CORPORATIONS.—Report for year ending June 30, 1910.	June 21, 1910, Order prescribing and requiring filing of report. September 30, October 4, 7 and 18, 1910, Orders extending time of various companies to file report.

D. PROCEEDINGS ON MOTION OF COMMISSION — (*Continued*).

<i>Case No.</i>	<i>Company and Subject.</i>	<i>Action of Commission.</i>
1246.	FIFTH AVENUE COACH CO.—Report for year ending June 30, 1910.	June 24, 1910, Order prescribing and requiring filing of report.
1247.	RAILROAD AND STREET RAILROAD CORPORATIONS.—Report for year ending June 30, 1910.	June 28, 1910, Order prescribing and requiring filing of report. November 1, 1910, Order denying application of South Flatbush R. R. Co. to be relieved from filing. November 18, 1910, Order extending time of Manhattan Bridge Three Cent Line to file report.
1248.	STEAM RAILROAD CORPORATIONS.—Report for year ending June 30, 1910.	June 28, 1910, Order prescribing and requiring filing of report. October 4, 1910, Order extending time of companies to file report.
1250.	LONG ISLAND R. R. Co.—Ticket selling and office maintenance at Gaston Avenue station, Arverne.	July 26, 1910, Order directing maintenance of ticket agent at station. November 1, 1910, Order suspending previous order during certain winter period.
1251.	NEW YORK AND LONG ISLAND TRACTION Co.—Service and equipment.	Hearings held, as result of which company agreed to install additional turn-outs on single track line, so as to provide reduced headway between cars and additional service.
1253.	BROOKLYN, QUEENS COUNTY AND SUBURBAN R. R. Co.—Inquiry as to franchise rights on Utica Avenue.	Hearings held. Inquiry closed.
1255.	LONG ISLAND R. R. Co.—Safety precautions at Fairview Avenue and eleven other grade crossings.	September 13, 1910, Order directing company to install crossing gates at eleven grade crossings. October 7, November 29, and December 16, 1910, Orders extending company's time to complete installation.
1257.	NEW YORK, NEW HAVEN & HARTFORD R. R. Co.—Service and station facilities on Harlem branch.	Hearings held. Company increased service on Saturdays and Sundays and made certain improvements at stations.
1258.	LONG ISLAND R. R. Co.—Elimination of Eighteenth Street grade crossing, Whitestone.	Hearings held. Matter pending appropriation by State of its one-quarter share of cost of elimination.
1259.	LONG ISLAND R. R. Co.—Elimination of Fifth Avenue grade crossing, Whitestone.	Hearings held. Matter pending appropriation by State of its one-quarter share of cost of elimination.
1260.	LONG ISLAND R. R. Co.—Elimination of Merrick Road grade crossing, Springfield.	Hearings held. Matter pending appropriation by State of its one-quarter share of cost of elimination.
1261.	LONG ISLAND R. R. Co.—Elimination of Fresh Pond Road and Metropolitan Avenue grade Crossings, Bushwick Junction.	Hearings held. Matter pending appropriation by State of its one-quarter share of cost of elimination.
1262.	LONG ISLAND R. R. Co.—Elimination of Farmers Avenue grade crossing, Hollis.	Hearings held. Matter pending appropriation by State of its one-quarter share of cost of elimination.
1263.	LONG ISLAND R. R. Co.—Elimination of Hamilton Street grade crossing, Hollis.	Hearings held. Matter pending appropriation by State of its one-quarter share of cost of elimination.
1264.	LONG ISLAND R. R. Co.—Elimination of Hempstead and Jamaica Turnpike grade crossing, Queens.	Hearings held. Matter pending appropriation by State of its one-quarter share of cost of elimination.
1265.	LONG ISLAND R. R. Co.—Elimination of Lawrence, Old Lawrence and Bridge Streets grade crossings, Flushing.	Hearings held. Matter pending appropriation by State of its one-quarter share of cost of elimination.

D. PROCEEDINGS ON MOTION OF COMMISSION — (*Continued*).

<i>Case No.</i>	<i>Company and Subject.</i>	<i>Action of Commission.</i>
1266.	LONG ISLAND R. R. Co.—Elimination of Lawrence Street and other grade crossings on North Side division, Flushing.	December 30, 1910, Opinion and order providing for the elimination of grade crossings.
1268.	CENTRAL PARK, NORTH & EAST RIVER R. R. Co. AND METROPOLITAN ST. RY. Co.—Through routes and joint rates.	August 2, 1910, Order directing through routes and joint rates between Fifty-ninth Street line and intersecting lines. September 1, 1910, November 7, 1910, and December 7, 1910, Orders extending time of companies to comply. Through routes and joint rates established.
1270.	STATEN ISLAND RY. Co.—Elimination of grade crossing of Amboy Road near Huguenot Avenue, Staten Island.	Hearings held. Matter undetermined.
1271.	STATEN ISLAND RY. Co.—Elimination of Clove Avenue grade crossing at Grasmere, and closing and diverting Sheridan Avenue and other grade crossings, Staten Island.	Hearings held. Matter undetermined.
1272.	STATEN ISLAND RY. Co.—Elimination of Crooks crossing at Amboy Road, Giffords, Staten Island.	Hearings held. Matter undetermined.
1274.	BROOKLYN HEIGHTS R. R. Co.—Installation of crossover on Nostrand Avenue between Herkimer Street and Jamaica Avenue, Brooklyn.	October 25, 1910, Order discontinuing proceeding, as location of crossover was found not to be improper.
1278.	STREET RAILROAD CORPORATIONS.—Notice of purchase, construction of alteration of car equipment.	October 11, 1910, Order requiring information from time to time.
1281.	LONG ISLAND R. R. Co.—Additional safety precautions at Nineteenth Street, Whitestone Landing, and eleven other grade crossings.	December 16, 1910, Final order directing company to install crossing gates at eleven crossings.
1286.	BROOKLYN UNION EL. R. R. Co. <i>et al.</i> —Ventilation in certain cars.	Hearings held. Matter undetermined.
1288.	INTERBOROUGH RAP. TRANS. Co.—Inquiry as to a collision on subway near Jackson and Prospect Avenues.	Hearings held. Inquiry closed.
1289.	NEW YORK & NORTH SHORE TRACTION CO. AND SOUTH SHORE TRACTION Co.—Heating and heating regulations as to closed cars.	December 2, 1910, Order requiring heating of cars and prescribing regulations.
1291.	INTERBOROUGH RAP. TRANS. Co.—Service on subway lines.	December 23 and 28, 1910, Orders requiring company to operate during every fifteen-minute period a sufficient number of cars to provide seats at least equal to the number of passengers or the maximum number of trains which can be operated, and to extend to Dyckman Street the operation of certain local trains on the Broadway division.
1292.	NEW YORK CENTRAL & HUDSON RIVER R. R. Co.—Operation of freight trains on Eleventh Avenue.	December 13, 1910, Order restricting operation of freight trains during certain periods of the day when crossings are mostly used.
1293.	LONG ISLAND R. R. Co.—Service to St. Albans and Springfield on Montauk division.	December 16, 1910, Order temporarily suspending order of December 13, 1910, during street reconstruction work, upon condition of protection of crossings by flagmen. December 23, 1910, Order directing company to stop certain east bound train at St. Albans and certain west bound train at Springfield.

D. PROCEEDINGS ON MOTION OF COMMISSION—(*Concluded*).

<i>Case No.</i>	<i>Company and Subject.</i>	<i>Action of Commission.</i>
1294.	SOUTH SHORE TRACTION CO.— Examination of accounts.	December 2, 1910, Order for examination.
1295.	RAILWAY TRACTION CONSTRUCTION Co.— Examination of accounts.	December 2, 1910, Order for examination.
1296.	CENTRAL PARK, NORTH & EAST RIVER R. R. Co. AND SOUTH SHORE TRACTION Co.— Through route and joint rate between 59th Street crosstown line and Williamsburg Bridge shuttle line.	Hearings held. Matter undetermined.
1297.	BROOKLYN UNION EL. R. R. Co.— Station facilities at Atlantic and Flatbush Avenues, Fifth Avenue elevated line.	Hearings held and continuing.
1301.	COMMON CARRIERS AND RAILROAD CORPORATIONS.— Inspection and testing of steam locomotive boilers.	December 13, Order prescribing rules and forms.
1304.	GAS CORPORATIONS AND ELECTRICAL CORPORATIONS.— Report for year ending December 31, 1910.	December 20, 1910, Order prescribing and requiring filing of report.

CHAPTER V.

SERVICE AND EQUIPMENT.

The activities of the Commission in connection with the improvement of service and equipment are to be found in the records either of the formal cases or of the informal correspondence cases. In subdivisions "C" and "D" of chapter IV there is set forth a tabulation of the cases arising on complaints or on motion of the Commission. The orders of the Commission in full as to these cases are set forth in volume II. The informal cases of the Commission as to railroads and street railroads are to be found in appendix "B" of this volume. Through the informal cases the Commission during the year secured a very considerable improvement in minor matters of service and equipment, and through certain of the formal cases secured substantial changes. Perhaps the most substantial proceeding, in view of the result in greater safety to the public, was that relating to fenders and wheelguards. Although the final order was made in 1909, all of the cars within the city were not completely equipped until around the close of that year, so that only in 1910 has the full result been obtained from surface cars properly equipped with safety devices. In 1908 the number of persons killed on the street surface railroads was 248, in 1909, 161, and in 1910, with the enormous increase in travel of nearly 130,000,000 passengers, the number of persons killed was 175.

For the purpose of having proper information as to service and equipment, the Commission maintains a transportation department, containing over seventy-five employees, most of whom are inspectors. Constant inspection is made of the service, to secure evidence upon which orders may be made, to secure evidence as to whether the orders of the Commission are being obeyed, or to secure evidence as to service concerning which complaint has been made. During the year there were over 3,000 such investigations as to service, about one-third of which were made upon complaints. As to equipment: The depart-

ment maintains complete data as to all cars in operation and, by systematic inspections, is able to keep informed of the operating efficiency of such cars. It is thus possible to take prompt action when cars appear to be not in proper condition for operation or where complaint has been made with respect to the condition of a car. Inspections are also frequently made of the roadbed and structure of the transportation companies, chiefly on complaint. In addition, the department has during the year done considerable work in connection with appraisals of properties of companies, particularly of the Yonkers Railroad Company and the Westchester Electric Railroad Company, the Kings County Electric Light and Power Company, the Edison Electric Illuminating Company of Brooklyn and the Queens Borough Gas and Electric Company. In addition, appraisals already made of the Third Avenue Railroad Company, the Coney Island and Brooklyn Railroad Company and the Bronx Gas and Electric Company have been brought down to date.

In connection with orders of the Commission as to steam locomotives the total number of locomotives within the City of New York is 66, operated by 11 different companies. These companies are required to furnish certificates of inspection each quarter and specifications and blue prints of each additional boiler put in operation.

Accidents.—Although the improvement in the condition of equipment and the better discipline enforced by the companies have reduced the number of serious accidents, the total number of accidents shows an apparent increase over previous years, for the reason that the Commission modified its order requiring the reporting of accidents by providing for the reporting of minor accidents and delays to traffic, not heretofore reported by the companies. Tables as to the accidents for 1910 follow. A special table is shown giving the number of accidents during the last three years on the tracks of the New York Central and Hudson River Railroad Company south of Sixtieth street. This is the portion of the tracks of that company operated on the surface of certain avenues of the city.

	1908	1909	1910
Total number of accidents on street, "L," subway	56,481	52,808	59,524
Number of persons <i>killed</i>	444	329	377
Number of persons and vehicles struck by cars	11,405	11,447	14,401

NOTE.—The figures on the Metropolitan Street Railway Company show nearly 400 per month increase for the last four months due to including vehicles struck in which no injuries were claimed. Other companies have reported in this manner for the past two years, but not the Metropolitan Street Railway Company.

TABLE SHOWING THE NUMBER OF PERSONS KILLED DIVIDED AS TO STREET RAILROADS, SUBWAY AND ELEVATED RAILROADS AND STEAM RAILROADS.

	1908	1909	1910	Totals
Street surface railroads	248	161	174	583
Elevated and subway lines.....	89	61	80	230
Steam railroads	107	107	*123	337
Totals	444	329	377	1,150

* This number includes twelve killed by the explosion in December in the New York Central yards.

TABLE No. 3.—SHOWING ALL ACCIDENTS ON SUBWAY AND ELEVATED LINES, JANUARY 1 TO DECEMBER 31, 1910.

SUBWAY AND ELEVATED LINES.		Brooklyn Union Elevated Railroad.	Sea Beach Railway Company.	South Brooklyn Railway Company.	Inter- borough Rapid Transit.	Hudson and Man- hattan.	Rapid Transit Subway Construction Company.	Totals.
Collisions.....		6	1	2	32	1	.....	43
Persons and vehicles struck by cars.....		28	12	18	87	.....	.....	162
Boarding.....		190	7	30	1,793	4	.....	2,023
Alighting.....		95	6	48	1,022	4	.....	1,176
Contact electricity.....		35	2	3	114	8	.....	178
Other accidents.....		3,192	83	185	4,004	43	270	7,777
Totals.....		3,546	111	286	7,052	60	303	11,358
INJURIES.								
Passengers.....		826	25	99	6,284	49	.....	7,283
Not passengers.....		28	8	15	73	.....	6	130
Employees.....		175	3	11	752	33	297	1,271
Totals.....		1,029	36	125	7,109	82	303	8,684
SERIOUS INJURIES (Included above).								
Killed.....		23	.....	2	43	1	11	80
Fractured skulls.....		2	1	.....	4	1	1	9
Amputated limbs.....		.....	1	.....	2	.....	.....	3
Broken limbs.....		5	1	.....	34	3	.....	46
Other serious.....		29	2	18	26	1	7	83
Totals.....		59	5	20	109	6	22	221

TABLE NO. 4.—SHOWING ALL ACCIDENTS ON STEAM ROADS, JANUARY 1 TO DECEMBER 31, 1910.

STEAM ROADS.		Long Island Railroad Company.	New York Central and Hudson River Railroad.	New York, New Haven and Hartford Railroad.	Staten Island Railway.	Staten Island Rapid Transit Railway.	Pennsylvania Railroad.	Lehigh Valley Railroad.	Totals.
Collisions.....		14	2	11	.....	.....	.....	.....	27
Persons and vehicles struck by cars.....		82	59	6	4	16	1	.....	168
Boarding.....		37	26	.....	.....	3	1	.....	67
Alighting.....		73	79	.....	.....	1	.....	.....	153
Contact with electricity.....		27	26	.....	.....	.....	6	.....	59
Other accidents.....		1,469	1,040	545	9	27	29	8	3,127
Totals.....		1,702	1,232	562	13	47	37	8	3,601
INJURIES TO PERSONS.									
Passengers.....		271	186	26	23	13	.....	.....	519
Not passengers.....		151	481	7	9	18	1	4	671
Employees.....		1,018	947	195	5	15	36	4	2,221
Totals.....		1,440	1,614	229	37	46	37	8	3,411
SERIOUS INJURIES (Included above).									
Killed.....		55	52	7	2	.....	2	.....	123
Fractured skulls.....		3	15	1	.....	.....	.....	.....	19
Amputated limbs.....		5	15	3	.....	.....	1	.....	24
Broken limbs.....		1	35	5	.....	.....	.....	.....	42
Other serious.....		52	352	.....	.....	8	1	.....	413
Totals.....		116	469	16	2	14	4	.....	621
		New York, Westchester and Boston.....							None.
		Bush Terminal.....							None.
		Erie Railroad.....							None.

CHAPTER VI.

GAS AND ELECTRIC COMPANIES.

The Commission requires that all electric energy meters measuring current sold by light and power companies to consumers shall be of an approved type, and that no type of meter shall be used unless it has received the approval of the Commission.

The Commission maintains an electrical laboratory, equipped with the necessary standards, instruments and appliances for the checking of electric meters and other electrical investigations which are made from time to time.

In order to determine what an approved type shall be, specifications have been adopted setting forth certain requirements as to the accuracy of meters under varying conditions. Meters submitted to the Commission for approval are subject to careful examination and exhaustive tests, as prescribed by these specifications. The Commission has approved eleven general types of meters, comprising some eighty-two modifications. During 1910 six types were approved. The Commission has prescribed a uniform set of rules and regulations relative to the testing of electric meters and to the reporting of such tests to the Commission by the companies. Pursuant to these regulations, every electrical corporation operating within the First District files with the Commission for the said district monthly reports in the form prescribed by the regulations, stating the results of all tests of electric meters tested for accuracy during that month, and of all meters installed upon premises within the First District. In order that these reports of the various companies may be readily comparable, the rules for testing meters state specifically the manner and method which shall be followed in making the tests. By these reports the general condition of any particular type of meter may be followed.

Complaints and Meters.—During the year 1910 the Public Service Commission handled 6,187 complaints from consumers of gas and electricity. Included in this number were 4,874 applications for test of gas meters, 793 applications for test of electric

meters, and 520 informal complaints in relation to service conditions, not involving tests of meters. Out of the 4,874 applications for test of gas meters received from consumers, the Commission tested 4,428. Of the 793 applications for test of electric meters, the Commission tested 637. Of the 520 informal complaints handled during the year, only four remained open at the end of the year.

The informal complaints handled by the Commission covered a wide variety of subjects. In so far as it is possible to classify these complaints, it may be interesting to state that there were 88 cases of over-indexing of gas meters, 69 complaints as to service conditions against gas companies, 56 complaints as to service conditions against electric lighting companies, 65 complaints as to inadequate gas supply, 3 complaints as to irregular voltage, 59 complaints as to wrong billing by gas companies, 47 complaints as to wrong billing by electric light companies, 16 complaints as to gas leaks, 27 complaints in relation to prepayment meters, 33 complaints in relation to rebates allowed as a result of test of meters by the Public Service Commission, 20 complaints in relation to gas and electric light deposits, and 4 complaints in relation to guarantees required by electric light companies for furnishing service. The service complaints against both gas and electric companies in themselves cover such subjects as the refusal to supply gas or electricity, delay in supplying the same, and the discontinuance of the supply for various reasons. The complaints as to inadequate supply of gas were invariably found to be due to no defect in the quality of the gas supplied, but either to inadequate service or house pipes, or stoppages in the same. Where the complaint was the result of stoppage in the pipes, the matter was taken up with the company complained against, and the pipes cleared by it, resulting in restoring the supply to its normal condition. Where it was shown that the inadequate supply was due to inadequate house pipes, the consumer was so notified.

It has been the practice of the Commission since its creation to attempt, so far as possible, to adjust all informal complaints as between the company complained against and the consumer, the Commission acting as an intermediary in each case and offering its services in an effort to bring about an adjustment. That the efforts of the Commission were not unavailing is shown by the fact that out of over 500 informal complaints handled during the

year only four had not been adjusted at the end of the year. In a few cases it was necessary to hold hearings before a member of the Commission in order to reach an adjustment, but in the great majority of cases the complaints were adjusted directly with the company by correspondence. An examination of another portion of this report will show the character of the informal complaints handled by the Commission, and the disposition made of the same.

The year 1910 showed an increase over the previous year in the number of applications received for tests of gas meters and a decrease in the number of applications received for tests of electric meters from consumers. The falling off in the applications received from consumers for test of electric meters may be attributed to the fact that it is the practice, generally, of electric companies under the supervision of the Commission to adjust their meters to accuracy at least once a year. The result is shown in the tests made by the Commission; comparatively few electric meters registering on such tests in excess of the error allowed by law. In the latter part of 1909 the Commission adopted an order requiring all electric lighting companies to submit to the Commission monthly reports of tests made by them. These reports for the year 1910 show that out of a total of 107,836 meters tested, 2,912 were in excess of the error allowed by law. This order of the Commission required the companies to report monthly the results of periodic tests made by them as well as tests made by them upon complaints of consumers, and also all special tests.

Under the Public Service Commissions Law gas companies are prohibited from setting gas meters which have not been previously tested for accuracy and sealed as accurate by the Commission. In accordance with this provision of the law, the Commission tested during 1910 a total of 348,617 gas meters. Of this number 70,103 were new meters, 274,086 were repaired and removed meters, and 4,428 were tested upon the complaints of consumers. Since the creation of the Commission in July, 1907, it has tested a grand total of 1,174,302 gas meters. Although the law allows an error of 2 per cent in the case of gas meters tested upon complaints of consumers, it was deemed advisable during the year not to seal any new, repaired or removed meters as accurate which registered on test over exact accuracy. The Com-

mission also took up with the gas companies the question of re-testing all removed meters bearing the Commission's seal, which was agreed to; and also required that in the case of removed meters the companies adjust the index to zero before resetting them, so as to avoid errors in rendering bills. These requirements, it is believed, will eventually result in reducing the number of complaints.

An examination of the tables below, showing the results of tests of gas and electric meters upon complaint of consumers and of the test of electric meters by the electric companies, should prove of interest. In the case of gas meters tested upon complaint the law allows an error of 2 per cent. In the case of electric meters, an error of 4 per cent is allowed. While the law is silent in relation to meters that under-register, for the purposes of the Commission the tables have been prepared to show the percentage of error in the case of gas meters 2 per cent fast or slow, and in the case of electric meters 4 per cent either way. In testing gas meters upon complaint the practice of the Commission is to first send an inspector to the premises, who places a tag upon the meter, which is afterwards removed for test. Electric meters, on the other hand, are tested in place, and, as nearly as possible, under actual service conditions. The tests made by the electric companies are made under the same conditions as those made by the Commission. The Commission requires the electric companies to report monthly the tests made by them. These tests are divided into three classes; namely, periodic tests, made in the regular course of business; complaint tests, made by the companies upon the complaint of consumers; and office tests, made on the initiative of the company and not included in periodic and complaint tests.

The records of the Commission show that of the 4,428 gas meters tested by the Commission upon complaint of consumers, 2,220 were over 2 per cent fast, or almost exactly 50 per cent of the meters tested, while in the case of electric meters tested by the Commission upon complaint of consumers of the 637 meters tested 36 or less than 6 per cent were over the error allowed by law. The tests made by the electric companies under similar testing conditions show very little change in the results. Of the 107,836 electric meters reported to the Commission as tested by the companies during the year, including periodic, complaint and

office tests, 2,912, or 2.70 per cent were over 4 per cent fast. If the companies' tests are divided into the three classes, the following results are obtained: Of 89,110 periodic tests made, 2,179, or 2.45 per cent, were over 4 per cent fast; of 7,813 complaint tests made, 314, or 4.02 per cent, were over 4 per cent fast, and of 10,913 office tests made, 419, or 3.85 per cent, were over 4 per cent fast. The comparative accuracy of electric meters is undoubtedly due to the frequent calibration of the meters by the companies, and the complaints of large bills due to some other cause than the inaccuracy of the electric meters.

Looking at the tests from the point of under-registration, the Commission's tests of gas meters upon complaint show that of the 4,428 meters tested, 398, or 9 per cent, were over 2 per cent slow. In the Commission's tests of electric meters, out of 637 tests 47, or 7.4 per cent, were over 4 per cent slow. In the electric companies' tests, 18,002 meters, or over 16 per cent of the total number tested, were over 4 per cent slow. While 40 per cent of the gas meters tested by the Commission upon complaint were within the limits of error, as stated above, over 86 per cent of the electric meters tested by the Commission were within the limits. The electric companies' tests show 80 per cent of the meters tested by them were similarly accurate.

The following summary shows the results of tests of gas and electric meters upon complaint during the year:

COMPLAINT METERS.

GAS.			ELECTRIC.		
	Number.	Per cent.		Number.	Per cent.
Absolutely correct....	481	10.9	Total fast	353	55.4
Total fast	2776	62.7	Total slow	284	44.6
Total slow	1171	26.4			
Grand Total.....	4428	100.0	Grand Total	637	100.0
Over 2% fast.....	2220	50.1	Over 4% fast.....	36	5.7
Over 2% slow.....	398	9.0	Over 4% slow.....	47	7.4
Between 2% fast and			Between 4% fast and		
2% slow	1810	40.9	4% slow	554	86.9
Grand Total.....	4428	100.0	Grand Total	637	100.0

TABLE A.—GAS METERS TESTED FROM JANUARY 1, 1910, TO JANUARY 1, 1911.

MONTHS.	(SIZE IN LIGHTS.)												Totals.		
	3	5	10	20	30	45	60	80	100	150	200	250		300	500
January. Tested, 25,447.	Complaint.....	174	278	43	16	5	7	4	.....	5	.....	1	.....	.....	533
	New.....	306	4,231	4	27	21	18	17	.....	10	.....	1	.....	.....	4,638
February. Tested, 22,954.	Rep. and Rem.....	12,539	6,371	870	285	92	66	18	.....	14	.....	5	.....	.....	20,276
	Complaint.....	222	374	63	38	5	10	3	.....	4	.....	1	.....	.....	720
March. Tested, 30,045.	New.....	632	2,889	105	12	11	13	5	.....	57	.....	3	.....	.....	3,672
	Rep. and Rem.....	10,726	6,150	1,048	324	113	81	47	.....	57	.....	3	.....	.....	18,562
April. Tested, 31,517.	Complaint.....	196	227	64	18	5	6	6	.....	4	.....	1	.....	.....	528
	New.....	805	3,322	147	31	5	19	12	.....	5	.....	31	.....	.....	4,346
May. Tested, 28,196.	Rep. and Rem.....	17,415	6,166	903	369	89	95	53	.....	51	.....	14	.....	.....	25,171
	Complaint.....	105	127	36	18	1	6	1	.....	6	.....	1	.....	.....	300
June. Tested, 28,071.	New.....	473	4,269	24	6	6	12	2	.....	2	.....	2	.....	.....	4,794
	Rep. and Rem.....	17,531	7,175	1,269	263	75	46	27	.....	24	.....	3	.....	.....	26,423
July. Tested, 25,332.	Complaint.....	112	113	13	6	2	1	.....	3	.....	1	.....	.....	.....	265
	New.....	17	4,009	35	25	5	13	1	.....	2	.....	3	.....	.....	4,111
August. Tested, 28,267.	Rep. and Rem.....	14,600	8,297	459	253	75	48	36	.....	44	.....	6	.....	.....	23,832
	Complaint.....	104	88	23	9	3	1	1	.....	2	.....	1	.....	.....	233
September. Tested, 27,908.	New.....	491	4,799	60	80	6	47	16	.....	7	.....	2	.....	.....	5,511
	Rep. and Rem.....	13,494	7,501	758	309	82	76	40	.....	41	.....	4	.....	.....	22,326
October. Tested, 32,552.	Complaint.....	64	77	15	3	.....	2	.....	1	.....	.....	.....	.....	.....	162
	New.....	520	4,229	126	19	1	31	.....	.....	.....	2	.....	.....	.....	4,928
November. Tested, 34,199.	Rep. and Rem.....	10,679	8,125	909	270	91	81	25	.....	38	.....	11	.....	.....	20,242
	Complaint.....	77	75	19	4	1	1	.....	1	.....	8	.....	2	.....	179
December. Tested, 34,129.	New.....	32	4,537	7	27	49	32	5	.....	1	.....	2	.....	.....	4,694
	Rep. and Rem.....	13,501	8,700	719	277	70	44	26	.....	25	.....	8	.....	.....	23,394
Totals.....	Complaint.....	71	90	11	6	1	.....	3	.....	2	.....	.....	.....	.....	184
	New.....	506	4,572	30	60	13	65	3	.....	3	.....	3	.....	.....	5,433
	Rep. and Rem.....	11,609	8,985	1,249	266	63	52	23	.....	20	.....	11	.....	.....	22,291
	Complaint.....	158	186	13	5	3	2	1	.....	4	.....	1	.....	.....	373
	New.....	20	11,621	23	34	12	50	3	.....	2	.....	1	.....	.....	11,766
	Rep. and Rem.....	11,080	8,205	727	190	78	49	46	.....	25	.....	5	.....	.....	20,413
	Complaint.....	194	233	23	3	4	1	1	.....	2	.....	1	.....	.....	463
	New.....	770	8,033	111	75	50	85	7	.....	25	.....	2	.....	.....	9,158
	Rep. and Rem.....	14,922	8,144	977	319	72	54	28	.....	45	.....	3	.....	.....	24,578
	Complaint.....	206	241	25	14	6	7	.....	1	.....	5	.....	.....	.....	500
	New.....	441	5,859	330	151	116	124	20	.....	10	.....	1	.....	.....	7,051
	Rep. and Rem.....	16,757	7,637	1,451	462	103	62	47	.....	37	.....	7	.....	.....	26,578
	Totals.....	171,549	156,115	12,689	4,274	1,334	1,307	528	9	527	99	18	68	1	348,617

TABLE B.—NEW METERS TESTED, 1910.

MONTH.	Total correct.	Total rejected.	Grand total.	Per cent correct.	Per cent rejected.
January.....	4,569	69	4,638	98.5	1.5
February.....	3,614	58	3,672	98.4	1.6
March.....	4,185	161	4,346	96.3	3.7
April.....	4,635	159	4,794	96.7	3.3
May.....	4,019	92	4,111	97.8	2.2
June.....	5,379	133	5,512	97.6	2.4
July.....	4,872	56	4,928	98.9	1.1
August.....	4,598	96	4,694	97.9	2.1
September.....	5,311	122	5,433	97.8	2.2
October.....	11,629	137	11,766	98.8	1.2
November.....	8,913	245	9,158	97.3	2.7
December.....	6,902	149	7,051	97.8	2.2
Totals.....	68,626	1,477	70,103	97.9	2.1

TABLE C.—REPAIRED AND REMOVED METERS TESTED, 1910.

MONTH.	Total correct.	Total rejected.	Grand total.	Per cent correct.	Per cent rejected.
January.....	20,134	142	20,276	99.3	0.7
February.....	18,473	89	18,562	99.6	0.4
March.....	24,736	435	25,171	98.3	1.7
April.....	26,119	304	26,423	98.8	1.2
May.....	23,550	282	23,832	98.8	1.2
June.....	22,161	165	22,326	99.2	0.8
July.....	20,129	113	20,242	99.4	0.6
August.....	23,260	134	23,394	99.4	0.6
September.....	22,195	96	22,291	99.6	0.4
October.....	20,289	124	20,413	99.4	0.6
November.....	24,469	109	24,578	99.5	0.5
December.....	26,437	141	26,578	99.5	0.5
Totals.....	271,952	2,134	274,086	99.2	0.8

TABLE D.—GAS METERS TESTED ON COMPLAINT DURING 1910.

MONTH.	NUMBER TESTED.			TOTAL AMOUNT OF PERCENTAGE.		NUMBER FAST.				NUMBER SLOW.				
	Absolutely correct.	Fast.	Slow.	Total.	Fast.	Slow.	2-6 per cent.	6-11 per cent.	11-15 per cent.	Above 15 per cent.	2-6 per cent.	6-11 per cent.	11-15 per cent.	Above 15 per cent.
January.....	59	353	121	533	1,228.97	291.48	210	46	6.	2	28	7	2	.....
February.....	75	513	132	720	1,904.85	329.35	330	70	15	1	32	7	1	.....
March.....	58	344	126	528	1,440.27	333.11	209	69	10	1	30	14	.....	.....
April.....	40	166	94	300	542.15	189.13	98	9	5	2	23	3	.....	.....
May.....	23	147	83	253	476.10	235.24	90	16	.....	.....	22	4	1	.....
June.....	25	126	82	233	412.04	233.99	84	12	1	.....	27	7	1	.....
July.....	15	88	59	162	295.30	142.59	49	11	2	1	12	4	.....	.....
August.....	24	83	72	179	400.65	168.75	43	8	1	1	23	2	.....	.....
September.....	26	99	59	184	335.63	187.64	60	9	.....	1	22	5	.....	.....
October.....	38	234	101	373	924.19	238.04	164	39	5	.....	16	5	2	.....
November.....	50	302	111	463	1,409.86	329.63	189	63	7	.....	44	4	1	.....
December.....	48	321	131	500	1,424.39	341.34	189	79	9	2	34	9	2	.....
Total.....	481	2,776	1,171	4,428	10,794.40	3,020.29	1,715	431	61	13	313	71	11	3

MONTH.	PERCENTAGES TESTED.			AVERAGE PER CENT.		AVERAGE PER CENT FAST				AVERAGE PER CENT SLOW.				
	Absolutely correct.	Fast.	Slow.	Total.	Fast.	Slow.	2-6 per cent.	6-11 per cent.	11-15 per cent.	Above 15 per cent.	2-6 per cent.	6-11 per cent.	11-15 per cent.	Above 15 per cent.
January.....	11.1	66.2	22.7	100	3.48	2.41	59.5	13.0	1.7	.5	23.1	5.8	1.6	.....
February.....	10.4	71.3	18.3	100	3.71	2.50	64.3	13.6	2.9	.2	24.2	5.3	.8	.....
March.....	11.0	65.2	23.8	100	4.19	2.64	60.8	20.1	2.9	.3	23.8	11.1	.....	.....
April.....	13.4	55.3	31.3	100	3.27	2.01	59.0	5.4	3.0	1.2	24.4	3.2	.....	.....
May.....	9.1	58.1	32.8	100	3.24	2.83	61.2	10.9	.....	.....	26.5	4.8	1.2	1.2
June.....	10.7	54.1	35.2	100	3.27	2.85	66.6	9.5	.....	.....	32.9	8.5	1.2	.....
July.....	9.3	54.3	36.4	100	3.36	2.42	55.7	12.5	.8	1.1	20.3	6.7	.....	.....
August.....	13.4	46.4	40.2	100	4.83	2.34	51.8	9.6	1.2	1.2	31.9	2.8	.....	.....
September.....	14.1	53.9	32.0	100	3.30	3.18	60.6	9.1	1.0	1.0	37.3	8.4	1.7	.....
October.....	10.1	62.7	27.2	100	3.95	2.36	70.1	16.7	2.1	.....	15.8	4.9	1.9	.....
November.....	10.8	65.3	23.9	100	4.67	2.97	62.6	20.8	2.3	.6	39.6	3.6	1.9	.....
December.....	9.6	64.2	26.2	100	4.44	2.61	58.8	24.6	2.7	.6	25.9	6.8	1.5	.....
Total.....	10.9	62.7	26.4	100	3.88	2.58	61.8	15.5	2.2	0.5	26.7	6.0	0.9	0.2

GAS METERS TESTED.

TABLE E.—COMPLAINT.

	1907.	1908.	1909.	1910.
January.....	Six months	635	569	533
February.....	.....	978	384	720
March.....	.....	1,192	488	528
April.....	.....	651	397	300
May.....	.....	668	301	253
June.....	.....	447	222	233
July.....	197	337	184	162
August.....	83	241	177	179
September.....	181	350	191	184
October.....	268	549	316	373
November.....	328	526	421	463
December.....	505	772	429	500
Total.....	1,562	7,346	4,079	4,428

TABLE F.—REPAIRED AND REMOVED.

	1907.	1908.	1909.	1910.
January.....	.....	22,062	29,480	20,276
February.....	.....	20,642	26,069	18,562
March.....	.....	23,187	30,631	25,171
April.....	.....	22,640	27,197	26,423
May.....	.....	22,617	24,576	23,832
June.....	.....	21,349	24,532	22,326
July.....	3,086	21,752	24,349	20,242
August.....	11,861	20,901	25,539	23,394
September.....	12,210	21,654	23,715	22,291
October.....	17,621	23,739	21,620	20,413
November.....	17,333	21,665	18,629	24,578
December.....	19,946	27,078	21,438	26,578
Total.....	82,057	269,286	297,775	274,086

TABLE G.—NEW.

	1907.	1908.	1909.	1910.
January.....	.....	6,164	4,078	4,638
February.....	.....	2,967	2,189	3,672
March.....	.....	3,919	4,109	4,346
April.....	.....	7,488	3,653	4,794
May.....	.....	6,016	2,772	4,111
June.....	.....	4,578	5,700	5,512
July.....	2,750	2,487	6,827	4,928
August.....	6,657	4,591	4,476	4,694
September.....	8,850	3,941	5,303	5,433
October.....	10,817	6,594	5,602	11,766
November.....	7,714	7,935	5,633	9,158
December.....	7,439	6,734	5,597	7,051
Total.....	44,227	63,414	55,939	70,103

ELECTRIC METERS.
TABLE H.—SHOWING RESULTS OF TESTS DURING 1910.

MONTH.	NUMBER TESTED.		Number found creep- ing.	TOTAL AMOUNT OF PERCENTAGE.		NUMBER FAST.				NUMBER SLOW.				
	Fast.	Slow.		Total.	Fast.	Slow.	4-10 per cent.	10-20 per cent.	20-30 per cent.	Above 30 per cent.	4-10 per cent.	10-20 per cent.	20-30 per cent.	Above 30 per cent.
January.....	37	48	85	80.33	115.39	2	1	.....	.....	7	1	.....	.....	.....
February.....	49	49	98	81.42	119.80	4	.....	.....	.....	5	3	.....	.....	.....
March.....	65	39	104	105.54	95.93	1	1	.....	.....	5	1	.....	.....	.....
April.....	38	31	69	120.90	67.81	6	.....	2	.....	2	1	.....	.....	.....
May.....	29	16	45	66.85	42.27	4	1	.....	.....	1	1	.....	.....	.....
June.....	31	16	47	121.79	54.98	6	1	.....	.....	4	2	.....	.....	.....
July.....	22	8	30	37.57	69.17	1	.....	.....	.....	.....	1	.....	.....	.....
August.....	18	10	28	33.39	19.84	.....	.....	.....	.....	.....	.....	.....	.....	.....
September.....	12	10	22	14.62	31.58	1	.....	.....	.....	1	1	.....	.....	.....
October.....	11	17	28	24.05	25.10	1	.....	.....	.....	1	.....	.....	.....	.....
November.....	15	12	27	32.87	20.86	1	1	.....	.....	1	.....	.....	.....	.....
December.....	26	28	54	36.01	75.30	1	.....	.....	.....	6	1	.....	.....	.....
Total.....	353	284	637	755.34	738.03	28	5	3	.....	34	12	.....	.....	.....

MONTH.	PERCENTAGE TESTED.			Per cent found creep- ing.	AVERAGE PER CENT.		AVERAGE PER CENT FAST.				AVERAGE PER CENT SLOW.			
	Fast.	Slow.	Total.		Fast.	Slow.	4-10 per cent.	10-20 per cent.	20-30 per cent.	Above 30 per cent.	4-10 per cent.	10-20 per cent.	20-30 per cent.	Above 30 per cent.
January.....	43.5	56.5	100	3.5	2.17	2.40	5.4	2.7	.....	.....	14.5	2.1	.....	.....
February.....	50.0	50.0	100	4.7	1.66	2.44	8.1	.....	.....	.....	10.2	6.1	.....	.....
March.....	62.5	37.5	100	1.9	1.62	2.46	1.5	1.5	.....	.....	12.8	2.6	.....	.....
April.....	55.1	44.9	100	7.2	3.18	2.19	15.8	.....	5.3	.....	6.5	3.2	.....	.....
May.....	64.4	35.6	100	13.3	2.31	2.64	13.8	3.4	.....	.....	6.3	6.3	.....	.....
June.....	66.0	34.0	100	17.0	3.92	3.44	19.3	3.2	3.2	.....	25.0	12.5	.....	12.5
July.....	73.3	26.7	100	13.3	1.71	8.64	4.5	.....	.....	.....	.....	12.5	.....	.....
August.....	64.3	35.7	100	7.1	1.86	1.98	.....	.....	.....	.....	1	.....	.....	.....
September.....	54.5	45.5	100	9.1	1.22	3.16	8.3	.....	.....	.....	.....	.....	.....	.....
October.....	39.3	60.7	100	7.1	2.19	1.48	9.1	.....	.....	.....	5.9	.....	.....	.....
November.....	55.5	44.5	100	14.8	2.19	1.74	6.6	6.6	.....	.....	8.3	.....	.....	.....
December.....	48.1	51.9	100	1.8	1.38	2.69	4.0	.....	.....	.....	22.0	3.9	.....	.....
Total.....	55.4	44.6	100	6.7	2.14	2.59	7.9	1.4	0.8	.....	11.9	4.2	.....	0.4

TABLE I.—CAPACITY OF ELECTRIC METERS TESTED 1910.

MONTH.		CAPACITY IN AMPERES.														Wright max. demand.	Totals.			
		3	3½	5	7½	10	15	20	25	40	50	75	80	100	150			200	300	450	600
January.....	....	3	14	12	20	12	1	11	....	5	3	....	2	2	....	2	....	....	....	85
February.....	2	4	15	9	25	13	3	7	1	9	3	....	3	2	....	....	....	....	....	98
March.....	....	4	35	10	22	16	....	9	1	5	1	....	....	1	....	....	....	....	....	104
April.....	....	1	8	9	7	16	....	10	....	8	2	....	....	2	....	2	....	....	3	69
May.....	1	4	9	4	7	5	....	4	1	7	1	....	2	....	....	....	....	....	....	45
June.....	1	1	4	4	5	11	1	4	....	8	1	....	1	3	2	1	....	....	....	47
July.....	....	....	5	3	2	7	1	5	....	4	3	....	....	....	....	....	....	....	....	30
August.....	....	....	2	2	6	6	....	5	....	3	2	1	1	....	....	....	....	....	....	28
September.....	....	2	5	1	6	1	1	5	2	3	1	....	1	....	....	....	....	....	....	22
October.....	....	....	5	2	8	4	1	3	2	1	....	....	1	....	....	1	....	....	....	22
November.....	2	2	6	1	3	6	1	2	2	2	....	....	....	....	....	1	1	....	....	28
December.....	1	1	13	4	10	12	....	5	....	2	3	....	1	....	1	....	1	....	....	27
Totals.....	7	22	121	61	122	109	9	67	7	55	19	1	12	10	3	7	1	1	3	637

TABLE J.—SHOWING PERCENTAGES OF ERROR IN ELECTRIC METERS TESTED BY COMPANIES, 1910.

Final average efficiency per cent.	No.	Per cent.	Final average efficiency per cent.	No.	Per cent.
N. R.	582	.54	100+	16,244	15.06
.001-79+	1,328	1.23	101+	10,040	9.31
80-89+	2,114	1.96	102+	5,028	4.66
90-94+	8,17	7.58	103+	2,048	1.89
95+	5,804	5.38	104+	1,036	.96
96+	8,467	7.85	105-109+	1,435	1.33
97+	11,881	11.02	110-119+	339	.32
98+	15,704	14.56	120 and above	102	.09
99+	17,510	16.24			
			Total	107,836	99.98

TABLE K.—SHOWING THE CONDITION OF ELECTRIC METERS AS REPORTED TO THE COMMISSION DURING 1910.

	Number.	Per cent.
More than 4 per cent slow	18,012	16.69
Between 4 per cent slow and 4 per cent fast	86,922	80.61
Four per cent or more fast	2,912	2.70
Total	107,836	100.00

Periodic Tests.

	Number.	Per cent.
More than 4 per cent slow	15,468	17.36
Between 4 per cent slow and 4 per cent fast	71,463	80.19
Four per cent or more fast	2,179	2.45
Total	89,110	100.00

Office Tests.

	Number.	Per cent.
More than 4 per cent slow	1,727	15.82
Between 4 per cent slow and 4 per cent fast	8,767	80.33
Four per cent or more fast	419	3.85
Total	10,913	100.00

Complaint Tests.

	Number.	Per cent.
More than 4 per cent slow.....	807	10.33
Between 4 per cent slow and 4 per cent fast.....	6,692	85.65
Four per cent or more fast.....	314	4.02
Total	7,813	100.00

TABLE L.—PERIODIC TESTS, ELECTRIC METERS, 1910.

FINAL AVERAGE EFFICIENCY %	JANUARY.		FEBRUARY.		MARCH.		APRIL.		MAY.		JUNE.		JULY.		AUGUST.		SEPT.		OCTOBER.		NOVEMBER.		DECEMBER.		TOTAL FOR YEAR.	
	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.
N. R.	18	25	9	18	6	09	10	15	14	19	26	30	13	17	12	21	26	29	22	25	29	35	20	22	205	23
.001 to 79+	92	130	64	126	115	185	134	208	82	114	76	88	62	79	51	89	92	102	99	101	114	139	91	101	1072	120
80 to 89+	178	251	126	248	170	273	205	317	133	186	144	167	114	146	88	155	114	127	130	148	159	194	143	158	1704	191
90 to 94+	697	985	438	962	602	968	661	1023	529	736	602	699	637	880	551	969	596	664	561	637	642	783	697	773	7313	821
95+	399	564	271	534	402	646	384	594	429	599	468	541	473	606	327	575	513	572	417	473	492	600	599	662	5174	581
96+	582	823	450	889	537	863	522	808	619	864	691	802	662	848	428	753	763	851	678	769	686	837	869	961	7487	840
97+	740	1046	556	1096	742	1195	669	1036	804	1122	1014	1176	913	1169	626	1101	1004	1119	1061	1203	946	1134	1192	1318	10267	1152
98+	988	1397	694	1368	926	1480	869	1331	960	1339	1217	1412	1215	1537	836	1471	1333	1457	1379	1566	1215	1483	1506	1665	13129	1485
99+	1,070	1512	807	1591	918	1476	943	1400	1142	1533	1404	1628	1297	1662	837	1571	1436	1602	1538	1746	1316	1605	1413	1562	14177	1591
100+	619	1299	486	1378	488	784	539	836	695	969	813	955	659	844	511	899	1003	1118	862	979	734	896	763	843	8207	921
101+	689	974	451	879	488	784	539	836	695	969	813	955	659	844	511	899	1003	1118	862	979	734	896	763	843	8207	921
102+	329	465	243	479	280	450	331	511	339	473	396	459	307	393	262	491	433	483	412	468	318	388	320	354	3970	445
103+	140	198	95	189	82	132	130	201	155	216	169	196	89	101	121	213	143	159	141	160	150	183	103	114	1518	170
104+	103	145	66	96	53	82	79	111	92	117	92	107	51	65	61	107	70	78	79	89	82	100	65	72	814	91
105 to 109+	126	178	66	110	65	105	75	116	98	137	113	131	56	72	59	117	116	129	110	129	158	80	88	1080	121	
110 to 119+	21	29	16	32	12	19	23	36	18	25	27	32	15	19	19	33	32	36	18	20	19	23	10	11	230	23
120 and above	6	08	7	14	3	05	4	06	7	09	4	03	3	04	3	05	4	04	4	05	8	10	2	02	55	06
Total	5,073	99.95	3,072	99.82	6,219	99.99	6,459	99.98	7,166	99.97	8,617	100.07	7,804	99.84	5,685	99.99	8,967	99.97	8,807	99.87	8,196	99.98	9,045	100.00	89,110	100.07

TABLE M.—OFFICE TESTS, ELECTRIC METERS, 1910.

FINAL AVERAGE, EFFICIENCY %	JANUARY.		FEBRUARY.		MARCH.		APRIL.		MAY.		JUNE.		JULY.		AUGUST.		SEPT.		OCTOBER.		NOVEMBER.		DECEMBER.		TOTAL FOR YEAR.	
	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.
N. R.	45	5.37	43	5.05	33	2.86	27	1.98	13	1.05	15	2.15	17	3.28	27	4.72	25	2.93	32	4.27	42	4.68	48	4.06	367	3.36
.001 to 79+	15	1.79	11	1.29	22	1.90	22	2.35	28	2.25	12	1.72	7	1.35	13	2.27	10	1.16	12	1.60	18	2.00	17	1.44	197	1.81
80 to 89+	13	1.55	21	3.64	20	2.58	27	2.64	27	2.18	10	1.43	12	1.39	18	3.15	11	1.29	9	1.90	19	2.12	18	1.53	235	2.15
90 to 94+	45	5.37	35	4.11	77	6.06	75	5.51	64	5.16	38	5.44	28	5.42	32	5.38	31	3.94	29	3.87	56	6.24	40	3.39	550	5.04
95+	32	3.81	27	3.18	37	3.20	53	3.89	34	2.74	21	3.01	17	3.28	23	4.02	22	2.71	36	4.81	35	3.89	41	3.47	378	3.46
96+	53	6.32	51	5.99	64	5.54	77	5.65	58	4.67	42	6.02	16	3.09	27	4.72	35	4.11	35	4.61	71	7.91	55	4.66	584	5.36
97+	78	9.30	96	11.28	105	9.09	122	8.96	121	9.75	57	8.17	47	9.07	42	7.34	44	5.17	63	8.40	96	10.69	113	9.57	984	9.02
98+	106	12.65	113	13.28	181	15.67	203	14.90	169	13.61	84	12.04	53	10.23	55	9.62	89	10.46	93	12.42	154	17.15	223	18.88	1,523	13.95
99+	138	16.46	138	16.22	183	15.84	216	15.86	204	16.44	119	17.04	74	14.29	80	14.00	178	20.92	129	17.22	127	14.14	251	21.25	1,837	16.83
100+	140	16.71	140	16.45	201	17.40	222	16.30	228	18.37	131	18.77	105	20.27	101	17.66	241	28.32	112	14.95	141	15.70	189	16.00	1,951	17.88
101+	64	7.63	80	9.40	93	8.05	132	9.69	132	9.69	71	10.16	56	10.81	69	12.06	67	7.87	81	10.82	66	7.34	97	8.21	1,008	9.25
102+	49	5.84	35	4.11	54	4.68	66	4.84	81	6.53	34	4.87	44	8.50	40	6.99	47	5.52	61	8.14	31	3.45	43	3.65	535	5.36
103+	26	3.10	17	1.99	37	2.80	39	2.86	36	2.86	23	3.29	18	3.48	18	3.15	21	2.47	21	2.89	18	2.00	21	1.78	295	2.70
104+	8	.95	13	1.53	12	1.01	19	1.39	18	1.45	15	2.15	6	1.16	9	1.57	9	1.06	13	1.74	7	.78	4	.34	133	1.22
105 to 109+	19	2.28	13	1.53	17	1.47	35	2.57	18	1.45	19	2.72	12	2.32	15	2.62	10	1.16	16	2.14	11	1.22	13	1.10	198	1.82
110 to 119+	4	.48	6	.71	5	.44	4	.29	8	.64	4	.57	3	.58	3	.58	8	.94	5	.53	6	.67	5	.42	58	.53
120 and above	3	.37	2	.23	4	.35	3	.22	2	.16	3	.43	3	.58	3	.53	2	.23	2	.27	.....	.....	3	.27	30	.63
Total	838	99.96	851	99.99	1,155	99.98	1,302	99.90	1,241	99.97	698	99.98	518	100.03	572	100.10	850	99.96	749	99.79	898	99.98	1,181	100.02	10,913	99.77

TABLE N.—COMPLAINT TESTS, ELECTRIC METERS, 1910.

FINAL AVERAGE EFFICIENCY %	JANUARY.		FEBRUARY.		MARCH.		APRIL.		MAY.		JUNE.		JULY.		AUGUST.		SEPT.		OCTOBER.		NOVEMBER.		DECEMBER.		TOTAL FOR YEAR.	
	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.	No. of meters.	Per cent.
N. R.	1	.08	3	.27	6	.57	1	.19	8	1.59	1	.23	3	.98	4	1.39	3	.89	3	.71	2	.33	2	.18	10	.13
80 to 89+	10	.80	19	1.72	16	1.51	8	1.33	4	.79	5	1.18	3	1.63	5	1.73	9	2.67	6	2.47	3	.49	5	.45	59	.75
90 to 94+	18	1.60	39	3.42	32	3.02	12	2.28	20	3.79	16	3.76	12	3.92	12	4.17	7	2.08	8	1.89	24	3.92	43	6.50	175	2.25
95+	59	5.26	66	5.98	47	4.27	31	2.93	15	2.97	19	4.50	12	3.92	11	3.81	9	2.67	8	1.89	14	2.29	29	3.88	311	3.98
96+	41	3.66	47	4.27	31	2.93	16	3.03	15	2.97	19	4.50	12	3.92	11	3.81	9	2.67	8	1.89	14	2.29	29	3.88	252	3.23
97+	52	4.64	80	7.25	51	4.82	22	4.17	24	4.76	24	5.63	16	5.23	11	3.81	13	3.86	17	4.02	30	4.90	56	5.06	396	5.01
98+	92	8.20	86	7.79	84	7.94	31	5.88	33	6.55	34	8.00	21	6.88	18	6.25	18	5.34	30	7.09	63	10.60	118	10.66	630	8.06
99+	172	15.34	154	13.94	131	12.39	54	10.25	49	9.72	48	11.27	35	11.44	26	9.03	42	12.46	56	13.24	108	17.65	177	15.99	1,052	13.45
100+	223	19.89	210	19.02	182	17.20	90	17.08	123	24.40	72	16.90	52	16.99	55	19.09	77	23.85	78	18.44	115	18.79	219	18.88	1,496	19.16
101+	205	18.28	205	18.57	228	21.55	124	23.53	102	18.25	103	24.18	72	23.53	58	20.14	80	23.74	85	20.09	131	21.08	202	18.24	1,585	20.29
102+	106	9.45	106	9.60	132	12.47	71	13.47	66	13.09	34	8.00	33	10.78	39	13.54	28	8.30	61	14.42	51	8.33	98	8.85	825	10.56
103+	69	6.15	72	6.52	75	7.09	36	6.83	25	5.55	30	7.04	20	6.54	24	8.33	19	5.63	29	6.99	28	4.58	43	3.88	473	6.05
104+	37	3.29	21	1.90	38	3.59	18	3.41	18	3.57	16	3.75	13	4.25	13	4.51	11	3.26	14	3.31	19	3.10	17	1.53	235	3.01
105 to 109+	14	1.25	6	.54	15	1.42	14	2.66	4	.79	8	7.70	4	1.31	3	1.04	4	1.18	9	2.13	6	.98	7	.63	89	1.01
110 to 119+	14	1.25	20	1.81	29	2.74	20	3.79	14	2.78	7	1.64	6	1.96	7	2.43	13	3.86	10	2.37	6	.98	11	.99	137	2.01
120 and above	8	.71	6	.54	1	.06	1	.19	4	.94	2	.70	2	.65	1	.35	2	.59	6	1.42	4	.65	6	.54	51	.65
.....	.....	.....	3	.27	1	.01	2	.38	2	.39	3	.70	.....	.....	1	.35	2	.59	1	.24	.....	.....	2	.18	17	.22
Total	1,121	99.94	1,104	99.99	1,058	99.31	527	99.98	504	99.96	426	100.06	306	100.01	288	99.97	337	99.97	423	100.14	612	99.65	1,107	99.06	7,813	99.86

APPENDIX A.

FRANCHISES OF ELECTRICAL CORPORATIONS IN
GREATER NEW YORK.

CONTENTS

LETTER OF TRANSMITTAL.....	PAGE	199
I. GENERAL REMARKS.....		200
Passing of competition.....		200
Franchise by acquiescence.....		202
Electric light and power map of Greater New York.....	opp.	202
Franchise by private contract.....		206
Franchise by annexation.....		206
Conflicting franchise terms.....		207
Growing complexity of franchises.....		209
Attempts at regulation.....		211
Corporate powers.....		212
Limitation of rates.....		214
Compensation.....		217
Duration of grants.....		219
II. FRANCHISES GRANTED BY THE OLD CITY OF NEW YORK.....		222
1. The original Edison franchise.....		222
2. The Brush franchise.....		223
3. The United States franchise.....		223
4. The Electric Lines franchise and electrical subways.....		224
5. The first Harlem franchise.....		226
6. The East River franchise.....		226
7. The omnibus electric franchise.....		227
8. The Mutual franchise.....		233
9. "Franchises" granted by Board of Electrical Control, 1887 to 1897.....		234
III. CORPORATE HISTORY OF THE NEW YORK EDISON COMPANY.....		236
Chart 18 A 1 — Corporate History of Electric Light and Power Companies in Old New York.....	opp.	234
IV. EXISTING RIGHTS AND OBLIGATIONS OF EDISON COMPANY.....		240
Chart 1 A — Franchises of The New York Edison Company.....	opp.	240
Table 1 — Analysis of electric light franchises held by The New York Edison Company.....		246
Company.....		247
V. CORPORATE HISTORY OF THE UNITED ELECTRIC LIGHT AND POWER COMPANY.....		250
VI. EXISTING RIGHTS AND OBLIGATIONS OF THE UNITED COMPANY.....		251
Chart 1 B — Franchises of The United Electric Light and Power Company.....	opp.	
Table 2 — Analysis of electric light franchises of The United Electric Light and Power Company and Long Acre Electric Light and Power Com- pany.....		252
VII. THE LONG ACRE ELECTRIC LIGHT AND POWER COMPANY.....		253
Chart 1 C — Franchise of Long Acre Electric Light and Power Company, and various unused franchises — Manhattan and The Bronx....	opp.	253
VIII. FRANCHISE OF BRONX GAS AND ELECTRIC COMPANY.....		254
IX. OTHER BRONX FRANCHISES.....		255
1. Williamsbridge franchises.....		256
2. South Mount Vernon franchise.....		256
3. Eastchester franchise.....		257
4. Pelham franchises.....		257
X. CORPORATE HISTORY OF THE WESTCHESTER LIGHTING COMPANY.....		258
Chart 18 A 2 — Corporate History of Electric Lighting Companies in the An- nexed District — Borough of The Bronx.....	opp.	260

	PAGE.
XI. EXISTING RIGHTS AND OBLIGATIONS OF THE WESTCHESTER LIGHTING COMPANY WITHIN GREATER NEW YORK.....	260
Chart 1 D — Electric light franchises in the City of New York owned or controlled by the Westchester Lighting Company.....	opp. 263
Table 3 — Analysis of electric light franchises of Bronx Gas and Electric Company and Westchester Lighting Company for districts within the limits of Greater New York.....	264
XII. FRANCHISES GRANTED BY THE FORMER CITY OF BROOKLYN.....	266
1. Combination franchise, 1884.....	266
2. Edison franchise, 1888.....	267
3. Kings County franchise, 1894.....	269
4. State franchise, 1896.....	271
XIII. CORPORATE HISTORY OF BROOKLYN COMPANIES.....	275
Chart 18 B 1 — Corporate History of Electric Light and Power Companies, Borough of Brooklyn.....	opp. 277
XIV. EXISTING RIGHTS AND OBLIGATIONS OF THE BROOKLYN EDISON COMPANY.....	277
Chart 2 — Electric light franchises and companies — Borough of Brooklyn.....	opp. 283
Table 4 — Analysis of electric light franchises held by The Edison Electric Illuminating Company of Brooklyn and The Flatbush Gas Company.....	284
XV. ELECTRIC FRANCHISES AND OTHER RIGHTS OF THE FLATBUSH GAS COMPANY.....	288
XVI. FRANCHISES GRANTED FOR THE TERRITORY NOW OCCUPIED BY THE NEW YORK AND QUEENS ELECTRIC LIGHT AND POWER COMPANY — QUEENS.....	292
1. Long Island City franchise.....	292
2. Newtown franchises.....	293
A. The Seely franchise, 1891.....	293
B. The McKenna franchise, 1895.....	294
C. The County Road franchise, 1897.....	294
D. The Miller franchise, 1897.....	295
3. Town of Flushing franchises.....	296
A. Commissioners of Highways and Town Board grant, 1897.....	296
B. County Road franchise in town of Flushing.....	297
4. Flushing village franchises.....	298
A. The Dykes grant, 1889.....	298
B. Grant of 1892.....	299
C. Grant of 1897.....	301
5. Whitestone franchise, 1897.....	301
6. College Point franchise, 1897.....	302
7. Town of Jamaica franchises.....	303
A. Woodhaven Electric franchise, 1895.....	303
B. Long Island Illuminating Company franchises, 1896.....	304
C. Jamaica Electric Light Company franchises, 1896 and 1897.....	306
D. County Road franchise, 1896.....	307
8. Village of Jamaica franchises.....	308
A. The American franchise, 1886.....	308
B. Jamaica Gas Light Company's electric franchise, 1887.....	309
C. The Browne franchise, 1887.....	311
D. Jamaica Electric Light Company contracts, 1893 and 1896.....	311
9. Richmond Hill franchise.....	315
XVII. CORPORATE HISTORY OF NEW YORK AND QUEENS ELECTRIC LIGHT AND POWER COMPANY, AND ITS PREDECESSORS.....	315
Chart 18 B 2 — Corporate History of Electric Light and Power Companies — Borough of Queens.....	opp. 319
Chart 3 A — Electric light and power franchises — New York and Queens Electric Light and Power Company.....	opp. 319
XVIII. EXISTING RIGHTS AND OBLIGATIONS OF THE NEW YORK AND QUEENS COMPANY.....	319
Table 5 — Analysis of electric light franchises of the New York and Queens Electric Light and Power Company in Long Island City and Newtown.....	324
Table 6 — Analysis of electric light franchises of the New York and Queens Electric Light and Power Company in ward 3, Borough of Queens (Flushing).....	325

Table 7 — Analysis of electric light franchises of the New York and Queens Electric Light and Power Company in ward 4, Borough of Queens (Jamaica).....	328
XIX. ELECTRIC LIGHT FRANCHISES GRANTED FOR WARD 5, BOROUGH OF QUEENS...	333
1. Town of Hempstead franchises.....	334
A. The Taylor franchise, 1887.....	334
B. The Myers franchise, 1889.....	334
2. Far Rockaway village franchises.....	335
A. The Rockaway Electric Light Company franchise, 1891.....	335
B. The Citizens' Lighting Company franchise, 1892.....	336
3. Rockaway Beach village franchises.....	339
A. The Seaside franchise, 1897.....	339
B. The Van Wyck Rossiter franchise and contract, 1897.....	339
C. The Wainwright-Hammell franchises, 1897.....	339
4. Board of Supervisors franchise, 1897.....	340
XX. CORPORATE HISTORY OF THE QUEENS BOROUGH GAS AND ELECTRIC COMPANY, AND ITS PREDECESSORS.....	341
XXI. EXISTING RIGHTS AND OBLIGATIONS OF THE QUEENS BOROUGH COMPANY.....	344
Chart 3 B — Electric light franchises claimed by the Queens Borough Gas and Electric Company — ward 5, Borough of Queens.....	opp. 347
Table 8 — Analysis of electric light franchises claimed or held by Queens Borough Gas and Electric Company.....	348
XXII. ELECTRIC LIGHT FRANCHISES IN THE BOROUGH OF RICHMOND.....	352
1. Village of New Brighton franchises.....	352
A. Richmond Light, Heat and Power Company, Limited, contract and franchise, 1888.....	352
B. Electric Power Company contracts and franchise, 1893 to 1897.....	356
C. New York and Staten Island Electric Company franchise, 1897.....	357
2. Village of Edgewater franchises.....	359
A. Richmond Light, Heat and Power Company, Limited, contracts, 1887 to 1893.....	360
B. Electric Power Company's contracts, 1893 to 1896.....	361
C. Richmond Borough Electric Company contract, 1897.....	361
D. New York and Staten Island Electric Company franchise, 1897.....	361
3. Village of Port Richmond franchises.....	363
A. Richmond Light, Heat and Power Company franchise and permits, 1887 to 1892.....	364
B. Staten Island Light, Heat and Power Company contract, 1889 to 1893.....	366
C. The Charles H. Ingalls and Port Richmond Electric Company franchise and contract, 1894.....	367
D. Richmond County Electric Light Company franchise, 1896.....	368
E. New York and Staten Island Electric Company contract, 1897.....	370
F. Electrical Subway franchise, 1897.....	371
4. Town of Northfield franchises.....	372
A. The Lisk franchise — Richmond County Electric Light Company, 1897.....	373
B. Town Board franchise — New York and Staten Island Electric Company, 1897.....	373
C. The Melvin subway franchise, 1897.....	376
5. Town of Middletown lighting contract, 1897.....	376
6. Town of Southfield franchises.....	377
A. Highway Commissioners franchises, 1897.....	378
B. Town Board grants, 1897.....	380
7. Village of Tottenville franchise, 1897.....	382
8. Town of Westfield franchises.....	385
A. Highway Commissioners franchise, 1897.....	385
B. Town Board franchise, 1897.....	387
XXIII. CORPORATE HISTORY OF THE RICHMOND LIGHT AND RAILROAD COMPANY (ELECTRICITY DIVISION), AND ITS PREDECESSOR COMPANIES.....	388
Chart 18 B 3 — Corporate History of Richmond Light and Railroad Co.....	opp. 394
Chart 4 — Electric light and power franchises and companies — Borough of Richmond.....	opp. 394

	PAGE.
XXIV. EXISTING RIGHTS AND OBLIGATIONS OF THE RICHMOND LIGHT AND RAILROAD COM- PANY — ELECTRICITY DIVISION.....	395
Table 9 — Analysis of electric light franchises held or claimed by Richmond Light and Railroad Company — old village grants.....	401
Table 10 — Analysis of electric light franchises held or claimed by Richmond Light and Railroad Company — old town grants.....	404
EXHIBIT 1 — POPULATION AND AREA OF ELECTRIC LIGHT FRANCHISE DIVISIONS OF GREATER NEW YORK.....	408
EXHIBIT 2 — ELECTRIC LINES FRANCHISE.....	410
EXHIBIT 3 — AREAS IN MANHATTAN AND THE BRONX SUPPLIED BY EDISON COMPANIES PRIOR TO CONSOLIDATION.....	416
EXHIBIT 4 — DATA AS TO COMPETITION IN MANHATTAN.....	421
Map 5 A — Duplication map of electric light companies in Manhattan. opp.	422
EXHIBIT 5 — RECORD OF SEELY FRANCHISE.....	424

APPENDIX A.

REPORT ON THE FINANCES OF ELECTRICAL CORPORATIONS IN GREATER NEW YORK.

To the Public Service Commission for the First District:

In the course of the general investigation into the affairs of the electrical corporations operating within the First District — Greater New York — reports have already been submitted upon certain phases. The results obtained either by voluntary action upon the part of the companies or pursuant to orders of the Commission have proved beneficial not only to consumers and the public but in many instances to the companies themselves.

Following general service matters, an examination was made of the numerous franchises and franchise records of the companies. In many cases the latter were incomplete, and recourse was had to the documents upon file in city, county and state offices. The investigation was thoroughly and carefully made, but there are still several points which neither the companies nor the experts of the Franchise Bureau of the Commission have been able to clarify. It may be that if the uncertainty surrounding these matters were entirely removed, certain statements in this report would need modification, but it is believed to be as accurate as can be made from the records in the files of the Commission.

In order that the facts may be before the Commission and available for use in cases where franchise questions arise, this report is respectfully submitted. Copies of all the principal documents and franchises referred to are on file in the Bureau of Franchises. The work of collecting and classifying these records has been done by Dr. Delos F. Wilcox, Chief of the Bureau, and his assistants. To Dr. Wilcox I am also indebted for the analysis of the franchises contained in this report.

Respectfully submitted,

MILO R. MALTBIE,

Commissioner.

DECEMBER 28, 1910.

I.— General Remarks.

Passing of Competition. One of the most significant facts brought out by this investigation is the trend toward monopoly and the elimination of competition. Although there are nine electric companies actively operating within Greater New York, no person can obtain electric current from more than *one* company, except in a portion of Manhattan. If for any reason he is dissatisfied with this source of supply, he can not change unless he stops the use of electric current entirely or manufactures it. Even in that part of Manhattan (south of 136th street) where two companies have mains in certain streets and services to the same building, the competition is more apparent than real. Both companies are owned by the Consolidated Gas Company; they charge the same rates, offer the same inducements to use current, conduct their relations with consumers on the same basis, have the same rules and regulations, etc. Practically the only competition is in the kind of current supplied; one supplies direct current and the other alternating current. The duplication of mains and plant is avoided so far as possible, but each company insists that it will supply its service wherever requested. (See Exhibit IV.)

In the early years of the industry, the conditions were quite different. The theory that competition was desirable was generally accepted, approved by mayors of the city and urged by boards of aldermen. New companies were invited to compete with those then operating, and franchises were granted freely and liberally. By this means it was expected that prices for current would be reduced and service improved. Further, no system of public regulation was in existence and it was asserted that the board of aldermen had no power to limit prices, even in the franchises they granted. Of all the grants that were made, only two or three minor ones were exclusive and then only for a few years. The trend towards monopoly has progressed without the aid of exclusive grants.

In the Borough of Manhattan, twelve separate franchises have been issued, and thirteen other grants have been made which, under a recent decision of the Court of Appeals, turn out to have been illegal. All but one covered the entire borough together with the western portion of The Bronx. Indeed, one of the illegal

grants covered Manhattan and The Bronx entire. The twenty-five grants were issued to twenty-four different companies. At least five companies never exercised their franchises; several others did very little business; but at least nine operated on a considerable scale, and among five or six of the companies there was active competition for a time. In some instances, the control of new franchises passed almost at once into the hands of old companies; in others, the process was somewhat delayed, but at present there are only three that are not owned or controlled by the Consolidated Gas Company or its subsidiaries. One of these has never been used, all trace of a second has been lost and the third is independently controlled.

In other boroughs, the situation has been much simpler, largely because the field has not been so promising as to attract many competitors. Just prior to the creation of the Greater City, the various local authorities, particularly in Queens and Richmond, were very active and on January 1, 1898, there was scarcely an area for which a franchise had not been granted, but usually one company had franchises for several adjacent districts.

The net result of the last thirty years (1881 to 1911) is that the local authorities of twenty-eight different political subdivisions now consolidated in Greater New York granted at least ninety-two separate franchises. Of these, thirteen are clearly illegal, sixteen are not claimed by any company now operating within the City of New York, fifty-one are claimed to be either owned or controlled by the nine companies doing an active business and one by the Long Acre company, and eleven have expired or been superseded.

The competitive idea, so far as it found expression in the endeavor of one company to secure customers that might be served by another, was short lived. Although repeatedly tried, there was apparently no means at that time by which it could be kept alive. The advantages of combination from the standpoint of the companies were so great and the obstacles so few that competition was easily eliminated. There was no law to prevent combination and no approval had to be secured to the transfer of a grant. The multiplication of franchises or companies was futile under such circumstances.

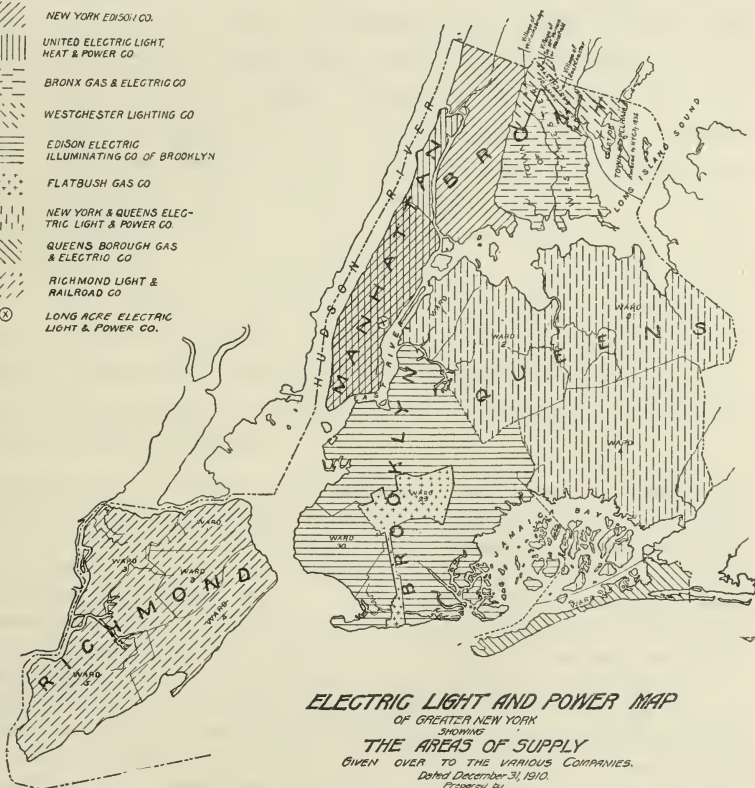
The elimination of competition has been accompanied by a gradual consolidation of companies operating in adjoining areas

and a general apportionment of the city. A number of the early Manhattan companies operated in separate districts, but now only the portion north of 136th street is set aside for the exclusive operation of one company. In Queens and Richmond several companies originally started small plants. The economic waste of production on a petty scale soon became apparent, however, and gradually one after another disappeared, usually being swallowed by the company which had been more successful. The present areas of supply are shown on the accompanying map, entitled "Electric Light and Power Map of Greater New York." It should not be inferred that the companies have lines in every street in these areas or that the rights to all of the territory assigned to each company are beyond question. It means rather that there are no companies except as indicated doing a general electric supply business in these areas.

Franchise by Acquiescence.— In the search for definite grants of authority to supply electricity and gas in certain areas where companies are now rendering service, there has been developed a new phrase, a new kind of franchise. The theory seems to be that a franchise does not need to be in writing or by formal resolution or evidenced in any special manner, but that a company may quietly begin operations without a franchise or extend its wires or pipes from an area where it has rights into an adjoining area where it has no legal authority, and that it may thereby obtain a franchise to supply service, if the local authorities do not forthwith stop such operations or extensions and continually police the area to prevent encroachment. If wires are once located without protest, rights are thus obtained for which no compensation needs to be paid, which are not subject to municipal control and which are perpetual.

This theory of franchise by acquiescence has been urged in the case of the Westchester Lighting Company, the New York and Queens Electric Light and Power Company and the Richmond Light and Railroad Company. These companies seem to set much store by the decision of the Appellate Division of the Supreme Court of the Second Department (Dec., 1903) in the case of *People ex rel. New York and Richmond Gas Company v. Cromwell*, 89 Appellate Division, 291. The facts in this case were briefly these:

-  NEW YORK EDISON CO. & UNITED ELECTRIC LIGHT HEAT & POWER CO.
-  NEW YORK EDISON CO.
-  UNITED ELECTRIC LIGHT, HEAT & POWER CO.
-  BRONX GAS & ELECTRIC CO.
-  WESTCHESTER LIGHTING CO.
-  EDISON ELECTRIC ILLUMINATING CO. OF BROOKLYN
-  FLATBUSH GAS CO.
-  NEW YORK & QUEENS ELECTRIC LIGHT & POWER CO.
-  QUEENS BOROUGH GAS & ELECTRIC CO.
-  RICHMOND LIGHT & RAILROAD CO.
-  LONG ACRES ELECTRIC LIGHT & POWER CO.



ELECTRIC LIGHT AND POWER MAP

OF GREATER NEW YORK

SHOWING

THE AREAS OF SUPPLY

GIVEN OVER TO THE VARIOUS COMPANIES.

Dated December 31, 1910.

Prepared by

Edw. J. Wileys

Chief of Bureau of Franchises.

The New York and Richmond Gas Company, as the successor of the Richmond County Gas Light Company, applied for a permit to open certain streets in the territory formerly occupied by the towns of Castleton, Northfield and Southfield, and upon being refused sought to enforce their claim by mandamus. The company showed that the Richmond County Gas Light Company had furnished gas in the territory since 1856, and alleged that the consents of the townships of Castleton, Northfield and Southfield had been secured immediately after the organization of the Richmond County Gas Light Company. The relator was, however, unable to produce the consents constituting its franchise rights, and was forced to rely upon the legal presumption that consent had been given, which arose from failure of the municipal authorities to object to the occupation of the streets by the company's mains. The Appellate Division upheld the contention of the company, pointing out that the statute granting permission to gas companies to lay mains simply required that the company obtain the consent of the "municipal authorities" before entering upon the enjoyment of its franchise. The court said by Judge Woodward:

"No method of manifesting this consent is pointed out, no definite body or bodies in the cities, villages or towns are pointed out, and the fair and reasonable inference is that any body which represents the community in a general sense, or in respect to the public rights, which are granted, is authorized to give this consent. * * * This result [a valid franchise] would, it seems to us under the authorities cited, follow even were it not possible to show any formal action on the part of the Highway Commissioners, for it is not suggested that the corporation did not construct its plant and distribute its gas in the several towns nearly a half century ago; and it appears that several of the villages which have since been created have taken gas under contracts with the relator and its predecessor. To say at this late day that the respondents may deny to the relator its rights under its franchise, upon any technical question growing out of the manner of the consent given so long ago, is to give precedence to unimportant forms above the substantial requirements of justice."

The court appears to have been impressed by the apparent injustice of forcing the company to prove that consents had been obtained at a time when it was a notorious fact that records of local authorities were most imperfectly kept and most informal. But this decision must be interpreted in the light of later litigation instituted by the Flatbush Gas Company in 1907 against

Mr. Bird S. Coler as president of the Borough of Brooklyn. The Flatbush Gas Company had obtained valid franchises for the entire town of Flatbush prior to the annexation of that territory to the city of Brooklyn. Subsequent to annexation the company sought to extend its electric mains along Ocean Parkway, a boulevard outside the territory in which it possessed a franchise. Accordingly it applied to the Commissioner of Parks, as the local authority having exclusive control of the avenue in question, and secured from him a contract for supplying street lights. On August 4, 1897, this contract was modified, permitting the Flatbush Gas Company to furnish electric current to such public or private consumers as might be desirous of using it. No further consent was obtained by the company and no application was made to the Common Council of the city of Brooklyn, to the Board of Aldermen of the City of New York, as its successor, or to the Board of Estimate and Apportionment of the City of New York, as the successor of the New York Board of Aldermen, the company relying entirely upon the presumption that the Commissioner of Parks had exclusive jurisdiction over the streets in question. The company was not interfered with down to 1907, at which time Borough President Coler refused to issue a permit for the opening of the street for the purpose of laying certain supply conduits, alleging that the company possessed no franchise in the area in question. Section 6 of the Transportation Corporations Law under which the company was operating was the successor of the old law of 1848, under which the New York and Richmond Gas Company had obtained its franchise rights. Its language was equally as broad, simply requiring the consent of municipal authorities before the franchise rights of the company were perfected.

Upon a motion for a peremptory writ of mandamus, Judge Crane, sitting at Special Term, granted the writ, largely upon the authority of the preceding case. He says (54 Misc. page 23):

“But if it be that the provisions of the charter above quoted from mean, as the Corporation Counsel claims, that the Park Department had full and exclusive control of the Ocean Parkway, subject to the powers of the Common Council, as in the case of Prospect Park, then as the Flatbush Gas Company entered upon the highway under the contract of 1898, laid its wires, and has furnished light to the city and others for the past ten years, it must be presumed that the Common Council of the City of Brooklyn, and the

other municipal authorities succeeding that body, have consented to such user, construction and operation. (*People ex rel. New York and Richmond Gas Company v. Cromwell*, 89 Appellate Division, 291.)”

Upon appeal to the Appellate Division the case was presented to a court, three of whose five members were Justices Woodward, Jenks and Hooker, who were a majority of the court which decided the Richmond case. The Flatbush Gas case was affirmed by this court without opinion. It is obvious, therefore, that the court considered the two cases similar and that in their opinion Judge Crane's decision was entirely correct. This case, however, unlike that of the New York and Richmond Gas Company, was carried to the Court of Appeals, reported in 190 New York, 268. The New York and Richmond Gas Company case was before the court not only through its quotation in the opinion of Judge Crane, but also as contained in the briefs of counsel. The Court of Appeals, however, decided that the company possessed no franchise on Ocean Parkway and must secure one from the proper local authority before being able lawfully to exercise rights in that street. No comment is made upon the Richmond Gas Company case, and absolutely nothing is said in the opinion of Judge Hiscock which would in any way indicate that the court gave any support to the doctrine of franchise by acquiescence.

It would appear that the Flatbush Gas Company case is essentially stronger than that of the New York and Richmond Gas Company. The Flatbush Gas Company was able to show an actual consent by an administrative officer in actual control of the street in which it sought to obtain rights; it was able to show further that in addition to having obtained this consent it had expended money and openly exercised rights in the highway in question with the tacit consent of the municipal authorities not only of the old city of Brooklyn, but of the City of New York; it was able to show that this user had continued for a substantial period, to wit, ten years. No question was made as to the good faith of the company in applying to the park department rather than to the common council.

It is clear, therefore, that “franchise by acquiescence” is not supported by any decision of the highest judicial tribunal in this state. Nevertheless, it is important that neither local nor state authorities should directly or indirectly recognize the rights

claimed by the companies which are founded upon "acquiescence" or unlawful appropriations. Further, it would be wise to notify the companies making such claims that their rights are not recognized and that they should proceed to obtain franchises in the regular, legal way. If they do not, proceedings should be instituted to settle their claims.

Franchise by Private Contract.—A second method of obtaining perpetual rights without obtaining a formal grant is even more ingenious. According to this theory, if a company were to produce and distribute current upon its own land, or were to make a contract with a real estate company for such purposes using only private property and never any street or highway which had been dedicated to the public, and if later public streets were laid out where the company had its mains and wires such company would *ipso facto* come to have a franchise under the terms of the private contract as originally made even though the local authority within whose area these streets were located had not granted a franchise or any right whatsoever. Of course, if the supply company had a franchise for the entire local area within which the land was located, no harm would be done if streets were laid out after a franchise had been granted, for the franchise would apply to the new streets as soon as opened. But if the theory is correct, it is essential that attention should be given to contracts affecting streets about to be opened, for if electric light companies secure rights in that way, the charter provisions are set at naught.

Franchise by Annexation.—The fundamental question in this theory is: Does the franchise follow the flag? In other words, if a company has a franchise for "The City of New York," is that franchise extended to cover the annexed district by the mere process of annexation? For example, all of the valid franchises of the New York Edison Company were granted prior to the time when that portion of The Bronx east of the Bronx river was made a part of the City of New York. The company claims that the annexation of this area *ipso facto* gave the company the right to supply in that territory. No legislation nor court decisions were cited in support of this claim, and the company is not operating in the annexed district, which is supplied by the Bronx Gas and Electric Company and the Westchester Lighting Company. If this theory is good law, the United Electric Light and Power

Company and its subsidiaries, and possibly the Long Acre Electric Light and Power Company have rights to operate in The Bronx east of the Bronx river. An affirmative answer to the question would also extend the franchises granted by the former city of Brooklyn to the Edison Electric Illuminating Company of Brooklyn, the Kings County Electric Light and Power Company, and the State Electric Light and Power Company to cover not only the territory which was included in the city of Brooklyn at the time these grants were made, but also all the outlying districts that were later annexed to the city. It is even claimed by the Edison Company of Brooklyn that the old Pope, Sewall & Company franchise of 1884, afterwards used by the Citizens Electric Illuminating Company, was extended automatically by the annexation of territory to the city to include all that portion of the present Borough of Brooklyn except Wards 13 to 19 as they existed at the time of the grant.

This question is of no interest in connection with the enlargement of the boundaries of the City of New York at the time of consolidation, January 1, 1898, for the reason that section 1538 of chapter 378 of the Laws of 1897 (Greater New York charter) provided specifically against the territorial expansion of existing franchise rights, as follows:

"Section 1538. This Act shall not extend the territorial operation of any rights, contracts or franchises heretofore granted or made by the corporation known as the Mayor, Aldermen and Commonalty of the City of New York, or by any of the municipal and public corporations which by this Act are united and consolidated therewith, including the counties of Kings and Richmond, and the same shall be restricted to the limits respectively to which they would have been confined if this Act had not been passed; nor shall this Act in any way validate or invalidate, or in any manner affect such grants, but they shall have the same legal validity, force, effect and operation, and no other or greater than if this Act had not been passed."

Conflicting Franchise Terms.—One of the most important results attending the corraling of many grants from various sources by a few companies is the difficulty of determining what provisions are actually operative. May the company select the franchise it desires to operate under? May it change from one to another according to its convenience? Must it maintain and operate the different portions of its mains and street equipment in accordance with the terms of the several franchises under which

the mains and equipment were originally constructed? What franchise is to apply to extensions built after consolidation or merger? In case of conflict, which is to predominate? These and many other questions, particularly as to the compensation to be paid, inevitably arise.

The New York Edison Company has acquired the absolute ownership of five franchises granted by the old City of New York. One of these, the original franchise of the Edison Electric Illuminating Company, is for "illumination" only, and does not provide for any compensation to the city in the way of free lighting. (See Table I.) The other franchises are for "electrical purposes" generally, and contain the provision that the grantee must furnish to the city free of charge one street arc light for every fifty arc lights furnished to private consumers. There is no question but that the several companies to which these four franchises were originally granted actually engaged in the supply of both light and power under their grants from the city. The mains of all these companies were laid in the high tension conduits owned by the Consolidated Telegraph and Electrical Subway Company, while the mains of the old Edison company were laid in the low tension conduits of the Empire City Subway Company, Limited. If the original franchise does not authorize the distribution and sale of current for heat and power but only for light, the Edison company must perforce make use of its other franchises so far as its power and heating business is concerned. Under these franchises, the company must furnish to the city one street arc light *free* for every fifty arc lights furnished to private consumers. But under the original Edison franchise, no free lighting was required. Which should apply? As a matter of fact, the company was supplying twenty-three free lamps, representing the admitted obligations of the four constituent companies at the time they were consolidated. This virtually assumes that all additional business has been done under the original franchise and is not covered by the free-lighting clause.

The situation of the United Electric Light and Power Company is similar. In the case of *West Side Electric Company v. the Consolidated Telegraph and Electrical Subway Company*, 187 N. Y. 58, the Court of Appeals held that the former Board of Electrical Control of New York City had no franchise-granting

authority. Prior to this decision, which was rendered only in 1907, a large amount of construction work had been done under permits from the Board of Electrical Control by companies having no franchises from the Board of Aldermen. Among these companies was the United company, which acquired a valid franchise only through the absorption of the United States Illuminating Company. But the United States franchise authorizes the distribution and sale of electricity only for "purposes of illumination." If this phrase be strictly construed, the company does not have authority to distribute and sell current for power. It controls two companies that have franchises not limited to "illumination," but until they are consolidated with the United, or until the United purchases one of these franchises, it must consider that it is operating the lines laid under the permits from the Board of Electrical Control in accord with the terms of the United States franchise or it is operating them illegally.

The companies in Queens and Richmond have a more complicated situation but less serious from a financial standpoint.

Hereafter, when applications for merger, consolidation or purchase are presented for approval, this matter will need careful consideration lest it be made the occasion whereby the obligations of a company may be escaped by the substitution of a franchise containing few or no restrictions.

Growing Complexity of Franchises.—The first electric lighting franchises were models of brevity, simplicity and laxity. Extremely valuable rights were given away without limit as to time or the rates to be charged, virtually without compensation and without any other provisions to protect the interests of the public except a few minor clauses as to damage to paving and pipes in the streets. Indeed, many of the later franchises granted by the local authorities in the outlying areas were equally devoid of adequate restrictions. In some instances signed documents were given out without any entry in the official minutes. In certain franchises, the language is obscure or ungrammatical; dates are omitted, or important blanks unfilled; interlineations or changes appear without proper authentication.

Just prior to January 1, 1898, when Greater New York came into being, many local authorities worked overtime giving away

valuable rights. The reason is obvious. The new charter limited the life of franchises to twenty-five years and a renewal term of twenty-five years subject to revaluation. The perpetual franchise was doomed, and those who wished to give or to get perpetual rights appreciated that the time was limited within which to carry out their plans. Further, upon December 31, 1897, the many local functionaries would cease their arduous labors, to be superseded by other persons in other official positions. Hence, the need for haste in the franchise industry.

It is doubtful, however, whether their efforts were entirely successful. In the case of *Blaschko v. Wurster*, 156 N. Y. 437, the Court of Appeals held that after May 4, 1897, the date when the Greater New York charter was approved, no franchise could be granted by any local authority within the present limits of the Greater City except in accordance with the provisions of this charter. It was provided in section 73 of the charter that "after the approval of this act no franchise or right to use the streets, avenues, parkways or highways of the city shall be granted by the municipal assembly to any person or corporation for a longer period than twenty-five years, but such grant may at the option of the city provide for giving to the grantee the right on a fair revaluation or revaluations to renewals not exceeding in the aggregate twenty-five years." In the case mentioned the court held that "the city referred to was of course the new city, created by the act, and the prohibition applies to all the territory embraced within it and consequently applies to Brooklyn." In the opinion of the court, the words "Municipal Assembly" were employed in section 73 "to designate the aldermen, common council or governing body having the power to deal with the subject matter of the restriction prior to the date when the new government was to go into full operation." The necessary consequence of this decision is that franchises granted by the former local authorities for territory now included in Greater New York after May 4, 1897, for more than twenty-five years with a renewal period of twenty-five years are invalid beyond these periods and possibly wholly invalid *ab initio*. The franchises as to which the question may arise are:

1. Town Board of Jamaica, now owned by the N. Y. & Queens Elec. Lt. & Power Co.
2. Village Trustees of Rockaway Beach, now owned by the Queens Bor. Gas & Electric Co.
3. Queens County Supervisors, now owned by the Queens Bor. Gas & Electric Co.
4. Southfield Highway Commissioners, now owned by the Richmond Lt. & R. R. Co.
5. Southfield Town Board, now owned by the Richmond Lt. & R. R. Co.
6. Westfield Highway Commissioners, now owned by the Richmond Lt. & R. R. Co.
7. Westfield Town Board, now owned by the Richmond Lt. & R. R. Co.

All but the first and fourth of these franchises are "unlimited," that is, they are silent as to the period for which the franchises are to run. It may be claimed that these franchises are valid but that the statutory provision limiting franchise terms to twenty-five years applies to them. Under the decision of the court above referred to, they certainly are not perpetual. The first franchise is for a term of forty-five years, which is not in conformity with the charter provision, and therefore it is invalid in whole or in part. The fourth franchise was expressly stated to be perpetual, unless the courts decreed that such provision was illegal, in which case twenty-five years plus twenty-five years was to apply.

Attempts at Regulation.—Although the early grants provided too few safeguards, some of the later ones went toward the other extreme. It soon became quite customary to provide that the Board of Aldermen or Council could pass "reasonable regulations" relating to service, that the streets and sidewalks disturbed must be properly restored, and that street work should be done under the supervision of some city official. But certain franchises undertook to specify in detail how deep poles should be set, their material, height, diameter, number of sides, color, location, etc.; how wires should be strung, the character of insulation, height above street surface, method of guarding, etc.; length of street to be opened at one time; candle power of incandescent lamps, etc. In Staten Island particularly, adjacent areas have varying requirements, so that what is proper in one locality is forbidden in another.

Many of these franchise provisions are already obsolete or useless. But it should be remembered that they were enacted before

the theory of state control of public service corporations had become generally recognized and at a time when many doubted the efficacy of local regulation. It was thought that as a franchise partakes of the nature of a contract, possibly this basis would be more effective. Hard and fast standards fixing each detail are inelastic and usually become after a time ineffective or such a hindrance to development that they are disregarded. In order that the interests of the public may be constantly protected, it must be possible for some public authority to rescind effete regulations, to establish new ones and thus to keep pace with changes in the industry and the needs of the community.

Upon rather important matters, many of the grants contain no provisions whatever. Few specify a date before which service must begin. Indemnity bonds and bonds for faithful performance of the obligations imposed are often missing. Formal notice of acceptance is seldom required. Little is said about character of service to be rendered, rates to be charged, testing of meters, conditions of supply, and many other matters that have become important. Doubtless many of these matters may be more effectively handled through administrative control, but it shows how often essential points may be overlooked and less important matters may absorb attention.

Corporate Powers.—Reference has already been made to the fact that certain of the early franchises authorized the distribution and sale of electric current for “purposes of illumination” only. At least eight important grants are so worded or confer no authority to distribute current for heating and power. When the attention of counsel for the New York Edison Company was called to this fact, he admitted that the wording of the original Edison franchise, for example, did not specifically include current for power, but he argued that a broad construction of the language would cover it. He stated that when the first franchise was granted in 1881, electricity was not used for power, that it was used only for lighting, that its utilization for heating and power is incidental and that “lighting” or “illumination” would cover other incidental purposes. A similar position was taken by the officials of the Brooklyn Edison company.

It would seem rather far-fetched to say that the use of electricity for power is incidental to lighting when the former is at

least equal to one-half of the latter, as in the case of the New York Edison Company, and perhaps is 40 or 50 per cent of the total consumption.

It is doubtful, further, whether the argument is logical that as the power use of electricity was not known in 1881, it should be read into the franchise. If it was not known, how could the Board of Aldermen have intended to include it in the franchise? If they did not intend to do so and if the language does not cover it, upon what logical ground can the companies assume the authority? Further, the use of electricity for power was certainly known early in the eighties and yet one of the franchises granted afterwards is limited expressly to "electricity for light only." It is hardly possible in this case at least to accept the doctrine that such language covers every other possible use to which electricity may be put.

In the case of grants between private parties, it is the rule of law that the language used should be construed in favor of the grantee, but in the case of grants from the public to private parties, it is the rule that the grant should be narrowly construed. Franchises, therefore, should be strictly construed in favor of the public.

If franchises are to be construed exactly as they read, none of the mains laid by the Edison Company of New York prior to March 1, 1900, could have been used for the distribution of current for heating and power. Yet many and perhaps most of them were so used. It would also follow that the United Electric Light and Power Company and the Brooklyn Edison company have been and are operating in part illegally. The Westchester Lighting Company, the New York and Queens Electric Light and Power Company and the Queens Borough Gas and Electric Company are exceeding their powers in parts of the areas they supply.

This subject is important not merely from the standpoint of acts *ultra vires*, but from other standpoints. If the Edison company must look elsewhere than in the franchise of 1881 for powers it is using, it must increase the amount of free lighting it gives to the city. The United company does not own a franchise that gives it authority to sell electricity for general purposes, and it would need to get a new franchise or purchase one from a controlled company. Other companies also would need to obtain new franchises

from the city. This is by no means a difficult matter, but they could not get perpetual franchises, the compensation would doubtless be much larger than is called for in the old grants, and other restrictions would be imposed. Naturally, the companies are not anxious to substitute such franchises for the ones they have, but with a cloud upon their title it would be advantageous to have the matter adjudicated, and if necessary then to secure full authority through new grants of power.

Limitation of Rates.—None of the franchises granted by the old City of New York contain any provision prescribing or limiting the rates that may be charged. The New York Edison and the United companies and all others having rights in Manhattan and The Bronx west of the Bronx river may fix any rates they please so far as the franchises go. The companies serving the district east of the Bronx river are also practically without limit. One franchise, for the old town of Pelham, provides that public lighting shall be free for three years (1890–1893) and that thereafter it shall be one-half the price charged to *private* consumers. In South Mount Vernon, the rates must not exceed those in Mount Vernon.

In connection with the granting of the very first franchises, there was practically no discussion of this subject, but in later years the omission of restrictions was intentional and considerable discussion was had prior to official action. The explanation is five-fold. In the first place, competition was relied upon to keep rates within reasonable bounds. It was not thought that this public utility—electricity supply—was different from industries generally. When it looked as if the early companies were apportioning the city among themselves or pursuing a general understanding, franchises were given to other companies. A committee report to the Board of Aldermen said in 1887:

“It rests with this board to say whether this process of competition, which must result in cheap and better light to our constituents, shall take place. * * * If we grant the consents asked for by companies who have applied to us the inevitable effect of our action and the consequent free competition must be such a reduction in the charges for electric lighting as will not only make it possible for the Board of Street Lighting to carry out the request embodied in the resolution of the Vice-President, but will also bring the free use of electric lighting within the means of thousands who are now prevented by the practical monopoly of the business enjoyed by a few corporations.”

We have seen how far this theory has been successful, but the report was accepted and six new franchises were passed and approved by the mayor.

The fact that the first franchises were granted without limitations suggests a reason why they were omitted in later ones. If competition was to be relied upon, would it be fair to impose conditions upon new companies that were not placed upon the early companies — their competitors? Would this be free competition and fair treatment? The argument was quite effective and successful.

The third explanation was an opinion of a corporation counsel which said that the aldermen had no power to regulate rates in an electric light franchise. This opinion may have been unsound; in Brooklyn, the rates were limited in the grant; but it was accepted in New York in 1887 as a valid reason.

Fourthly, it was argued that the industry was new, that the cost of supply could not be determined with certainty until the companies had been operating for some time, and that limits could not be fixed that would be reasonable for all companies alike, as the cost would depend upon the number of consumers a company would secure. There was considerable force in these arguments against a fixed and unchangeable limit, for conditions do constantly change, and if limits had been fixed in the eighties, they would be useless and obsolete to-day. But it was quite possible to provide for public control over rates that would be effective and yet adjustable to changing conditions and demands.

The last argument was unanswerable. It was that if competition did not prove effective, if combinations were formed, and if excessive and unreasonable prices were demanded, the state legislature would have the power to intervene and could regulate prices either directly or indirectly. The aldermen and city officials were here upon sound footing, but they did not foresee how soon it would be necessary for the legislature to intervene and how far public control would need to go.

All of the Brooklyn franchises, even the earliest ones, with one exception — the Flatbush Gas Company's electric franchise — have rate limitations. The first three franchises (granted 1884 and 1888) fix a maximum price for city lighting of 70 cents per night for each 2,000-candle-power arc light and of 15 cents per

night for each 16-candle-power incandescent light, each to burn all night. The maximum prices for private consumers were 75 cents and 15 cents respectively, but to cover only from dark until midnight. The Kings County franchise (1894) contains no limitation as to private rates but fixes a maximum rate for city arc lighting of 40 cents per day for each 1,200-candle-power light. Under the state franchise, the limit for such service is 30 cents per day and 35 cents for private consumers. This franchise is not being exercised at present, and the other limitations are considerably above the rates now being charged.

Of the twenty-one grants analyzed for the Borough of Queens, fourteen contain no limitations whatever as to the rates to be charged. One other merely states: "On more liberal terms than are at present obtainable." Two others prescribe that the rates shall be "fair and reasonable." Only four have maxima that may be considered as limitations, and these apply only to the villages of Whitestone, College Point and Far Rockaway and to the area of the town of Flushing outside of the incorporated villages. The grant covering the latter area provides that the rates shall not "be in excess of the rates at the time generally charged for similar service by corporations engaged in the same business within the limits of the town of Flushing." As all these areas are now supplied by the same company, this provision is practically valueless at present. The Whitestone franchise provides that rates charged to private consumers shall not exceed those in effect in the village of Flushing, and the College Point franchise fixes the rates in Flushing and Whitestone as the limit. There being no franchise limits in the Flushing franchise, these clauses are ineffectual. The "Citizens" franchise for Far Rockaway contains the most complete schedule yet mentioned, the rates varying for the different kinds of service.

Of the Richmond franchises now actually in operation, only two contain rate limitations. One prescribes a maximum commercial rate of one cent an hour for 16-candle-power incandescent lights, and "\$100 for an electric arc light." The other provides that public lighting shall not cost more than \$17.50 per lamp per annum or more than the grantee bids for furnishing light to other municipalities.

It is quite evident that none of the grants adequately provides for protection against unreasonable rates. They either lack any limitations whatever or contain clauses that appear to restrict but have no vitality. Fixed maxima are valueless because non-adjustable to changing conditions. Standards that depend upon rates in other localities are unsound, because local conditions may vary and because there is no guaranty that the rates in these localities will be reasonable. The only sound method under existing conditions is to omit detailed rate limitations from franchises and to place in the hands of an administrative body sufficient power to alter rates that have been found to be unreasonable.

Compensation.—The first three electric franchises (granted in 1881) exacted the sum of one cent per lineal foot of street occupied whenever a permit was issued to open pavements or sidewalks for the laying of tubes, wires, etc. This amount was not an annual payment but paid once and for all when the tubes or wires were laid. All the other valid franchises applicable to Manhattan and The Bronx west of the Bronx river, with one exception, fixed a rate of one cent per lineal foot of street opened for other than arc lights, and required the grantee to supply one street arc light free for every fifty furnished to private consumers. The one exception is the Mutual franchise, which apparently has never been exercised. The compensation to be paid to the city is 20 per cent of its gross receipts. Possibly this offers an explanation why the franchise has never been used.

The proposal to issue franchises upon such meager terms aroused Mayor Grace, who vetoed all of the franchises granted in 1881. He said in his veto messages:

“The resolution does not provide for any adequate return to the city treasury for the valuable franchise proposed to be granted. The sum of one cent per lineal foot of streets opened for the purpose of laying pipes or wires is entirely inadequate. * * * This resolution proposes to grant in perpetuity a franchise, the value of which cannot fail to be very great, without any appreciable return to the city treasury.”

“There is no reason why the city should not be likewise properly compensated, especially in view of the public annoyance caused by the breaking up of the streets and the increasing danger of injury to city water pipes and sewers by the multiplication of pipes of the various corporations under the roadways.”

Nevertheless, all of these franchises were passed over the Mayor's veto, and later grants were approved by the mayors then in office.

As a matter of fact, even the small compensation above called for is not being paid. The payments per lineal foot of streets opened are not made because all of the underground conduits are laid by the electrical subway companies. The Edison and United companies never open the streets. The number of free lights furnished under the various franchises is twenty-three, representing the admitted obligations of the various constituent companies before they were merged into the Edison company. The company claims that the free lighting provisions are no longer applicable because the company no longer furnishes lamps; it furnishes *current*, the consumer furnishes his own lamps. It is interesting to note that the city has never, according to an officer of the company, demanded the free lighting referred to in the franchises.

Only two franchises in The Bronx require compensation. One calls for 32-candle-power incandescent lights, current to be supplied and the lamps maintained. The other requires public lighting to be furnished at one-half the prices charged private consumers.

In Brooklyn, also, the early franchises required compensation in the form of free lighting. The first two issued called upon the grantees to erect and maintain for the city four free arc lights of 2,000 candle power each to burn all night, and in addition one free light for every fifty furnished to private consumers. The fire and police departments were also to have the right to place their wires upon the poles of the company without charge. In the next franchise, granted four years later, it was provided that the grantee should erect and maintain four arc lights of 2,000 candle power each or furnish their equivalent in electric current for incandescent lighting at the option of the city; also that the city should be furnished free one arc light for every fifty arc lights furnished to private subscribers and one incandescent light for every thirty customers using incandescent lights. The fire and police departments were to have free use of the conduits.

The "State" franchise, which is now being exercised, provides that the operator shall pay \$500 per annum to the city and one per cent of the gross receipts. The same provisions appear in

the Kings County franchise, but appear not to have been carried out as originally intended. The Kings County company has leased its property to the Brooklyn Edison company, and under the terms of this lease the Edison company pays directly to the holders the interest on the bonds of the Kings County company; also all taxes and assessments. The entire net profits arising from the operation of the plants of both companies are then paid over to the Kings County company. Under this arrangement the Kings County company pays the one per cent tax only upon the net profits, and does not pay one per cent upon interest, taxes or assessments paid directly by the Edison company. If the Kings County company were to pay these charges the amount of tax paid would be increased by over \$4,000 a year.

Four franchises now in force in Queens exact compensation. In one it is in the form of one cross-arm on poles for the use of the police and fire departments. Three require one free light for every ten lights paid for by the villages. Richmond is in striking contrast. The cash payments range from one-half of one per cent of gross receipts for the first ten years and one per cent thereafter, to one and one-half per cent the first five years, three per cent the second five years and five per cent thereafter. In one case, the company must pay a percentage, the village council's fee of \$250 and the village engineer's fees to be agreed upon between him and the grantee. The free lighting is most varied and prescribed in great detail, including the lighting of village halls, fire houses, public schools, a park and churches.

It is quite evident from the above that there has been neither uniformity nor wisdom in the fixing of compensation. Each locality has followed its own inclination. The burden is highest where it could equitably be heaviest, and *vice versa*. The free-service basis is unsatisfactory, for it is difficult to measure and unequal in application. A gross receipts percentage is usually definite and easily computed, but often unfair, having no direct relation to earning power. If it were possible, a complete revision of the whole question of compensation would be beneficial and equitable.

Duration of Grants.—Strange as it may seem, not one of the franchises now applicable to the Boroughs of Manhattan, The Bronx and Brooklyn, with two minor exceptions, contains any provisions regarding the duration of the grant. All are silent

except one in The Bronx and one in Brooklyn. The former reads: "An *exclusive* franchise be given * * * in this village of Eastchester * * * for the period of five years." The company now owning this franchise claims that the franchise is perpetual and that the *exclusive* feature of the grant was for five years. It may be claimed in reply that the entire franchise ended in five years, or 1900, and that the company now has no franchise whatever. The company also asserts that it has continued to operate since 1900, that its acts have been acquiesced in by the city authorities, and that, therefore, it has acquired a franchise by consent. This ground is certainly untenable, but it indicates the importance of having this question of "franchise by acquiescence" promptly settled.

The only Brooklyn electric franchise containing a time limit is the one issued in December, 1909, to the Flatbush Gas Company covering a very limited area on either side of Ocean Parkway from Foster avenue to the ocean. It runs for twenty-five years from 1907, with the right of the grantee to have a further period of twenty-five years upon a fair revaluation of the grant.

In Queens, there are only three franchises in which the period of operation is stated — two Jamaica grants made in 1896 and 1897 for forty-five years, and one in Flushing for twenty-five years with a renewal period of twenty-five years on a revaluation to be determined in a unique way. A board of three, or a majority thereof, is to revalue the franchise. One member is to be named by the company, one by the mayor and the third by these two. If the mayor shall fail to appoint or the two to name a third, then the company may select the president of a bank or trust company in New York City, who shall name all three appraisers.

Two other franchises provide that the grant may be revoked by the municipal authorities whenever in their opinion the public interests shall so demand, and if so required, the company shall remove its poles and wires from the streets and restore them to their proper condition. One franchise was granted in 1886 and the other in 1889. The latter is not in force, having been superseded; the former was issued to a company now defunct.

Only four franchises now operative in Richmond contain clauses relating to the period of duration. One fixes a twenty-year term and one twenty-five years. Another very formally states that it "shall not be revocable except by due process of law," but fails to amplify this general phrase. Evidently the United States Consti-

tution was not a sufficient safeguard. The fourth was born of wisdom, as it confers authority "in perpetuity unless the courts shall finally decree that under the provisions of the charter of Greater New York, or otherwise, this board had not the power at the time of granting said consent and permission to grant the same to the said company in perpetuity, in which event the consent and permission given by this board shall exist, obtain and be vested in the said company for the period of twenty-five years, or for the maximum period for which this board had or now has the power to grant the same in case the said maximum period is other than twenty-five years." Reference has already been made to the decision of the Court of Appeals in *Blaschko v. Wurster* which disposes of the perpetual feature. This is the only valid franchise now being operated that specifically mentions a perpetual term, except the town of Northfield grant of January 14, 1897, which was declared not to be "revocable except by due process of law." The others are all silent or fix terms. The case just cited also affects one of the forty-five-year franchises in Queens already noted.

None of the franchises which fix a period state, except the most recent grant to the Flatbush Gas Company, what shall be done when the term ceases. Several very important questions will arise. May the local authorities require the removal of the company's fixtures from the streets? May the company in the absence of affirmative action on the part of the local authorities continue to maintain and operate its lines? Will the title to the property in the streets vest in the city the instant the period expires? May the city sell or lease this property to another company or begin municipal operation with it? The franchises suggest no answer to any of these questions.

It is interesting to note that the limited-term grants date from 1896 and 1897. The hostility to perpetual franchises culminated in the passage of the Greater New York charter, but no electric franchises affecting considerable areas have been passed since January 1, 1898, when the Greater City came into being. Practically all of the city had been plastered with grants before, thanks to the activities of the local bodies who saw that they must act quickly or not at all. The first gas franchises, passed in the early years of the last century, were for limited terms; but the practice was changed, and it was several decades before the injustice of perpetual franchises was again recognized.

II. Franchises Granted by the Old City of New York.

1. *The Original Edison Franchise.*—The first electric light franchise granted by any local authority within the present limits of Greater New York was passed by the Board of Aldermen of the City of New York on March 22, 1881, and re-passed over the veto of Mayor William R. Grace on April 19, 1881, by a vote of 19 to 2. This franchise was granted to the Edison Electric Illuminating Company of New York, and is very brief and simple in its terms. It is in the form of a resolution, without time limit, authorizing the company "to lay tubes, wires, conductors and insulators, and to erect lamp-posts in the streets, avenues, parks and public places in this city for the purpose of conveying, using and supplying electricity or electrical currents for purposes of illumination."

The franchise contains four restrictions:

First, it requires that all excavations in the streets and all removals and replacements of pavements shall be done under the direction of the Commissioner of Public Works.

Second, it requires that the company's operations shall be subject to such further conditions as to security against damage to sewers, water pipes, gas pipes and other pipes as may be prescribed by the Mayor, the Comptroller and the Commissioner of Public Works.

Third, it requires that whenever the company is given a permit to open any streets, pavements or sidewalks for the purpose of laying its tubes, wires, etc., it shall pay the city a sum equal to one per cent per lineal foot of the streets occupied under such permit.

Fourth, the franchise resolution specifically states that it shall not be deemed to authorize the company to lay pipes or erect lamps to be used for illuminating by means of gas.

In his veto message Mayor William R. Grace said:

"The resolution does not provide for any adequate return to the city treasury for the valuable franchise proposed to be granted. The sum of one cent per lineal foot of streets opened for the purpose of laying pipes or wires is entirely inadequate and there is no provision for securing even this small sum to the city by bond, deposit or otherwise. The opening of streets and replacing of pavements under such franchises should be permitted only upon

condition of the work being done by the Department of Public Works, after a deposit with the city of an amount equal to the entire expense to be incurred. Section 18 of the Charter prohibits the Common Council from taking or making any lease of any real estate or franchise save at a reasonable rent and for a period not exceeding five years. This resolution proposes to grant in perpetuity a franchise, the value of which cannot fail to be very great, without any appreciable return to the city treasury.

"The franchises in the gift of the Common Council should be so utilized as sources of revenue as to greatly reduce taxation for the expenses of the city government. I earnestly recommend that a general ordinance be passed to permit of the disposal of franchises for electric lighting with proper security for the collection of revenue from them."

2. *The Brush Franchise.*—The second electric light franchise was given to the Brush Electric Illuminating Company. It was passed by the Board of Aldermen on April 12, 1881, while the Mayor's veto of the Edison franchise was still pending. Under date of April 14, Mayor William R. Grace vetoed the Brush franchise also, upon grounds similar to those quoted above. However, on May 3 it was passed over the Mayor's veto by a vote of 19 to 2. This franchise is also a brief and simple document. By it the Brush Electric Illuminating Company of New York was "authorized and empowered to lay, erect and construct suitable wires or other conductors, with the necessary poles, pipes or other fixtures in, on, over and under the streets, avenues, public parks and places of the City of New York for conducting and distributing electricity, and to the full extent that could with the consent of the municipal authorities of the City of New York be given to any gas light company," under the provisions of chapter 512 of the Laws of 1879, authorizing gas companies to substitute electricity for gas. The restrictions contained in the Brush franchise are identical with those contained in the Edison franchise, as already set forth.

3. *The United States Franchise.*—The third electric light franchise granted by the old City of New York was given to the United States Illuminating Company of New York. The resolution was passed by the Board of Aldermen, vetoed by the Mayor and repassed over his veto on the same dates upon which the Brush franchise went through similar experiences. Under the terms of the franchise, the company was "authorized and empowered to lay tubes, wires, conductors and insulators, and to

erect lamp-posts in the streets, avenues, parks and public places in this City for the purpose of conveying, using and supplying electricity or electrical currents for purposes of illumination." The restrictions contained in the franchise are precisely similar to those contained in the preceding franchises.

In the case of this franchise the Mayor said:

"The failure to secure proper revenue to the city from valuable franchises within the gift of the Common Council is one of the causes of our heavy burden of municipal debt. * * * The principal use of illuminating franchises is not designed to be the lighting of the streets, but the furnishing of illuminating agents to private customers at a profit. The grantees expect to make money from light supplied by them, either for private or public use. If they were obliged to enter upon and occupy private property for this purpose they would be required to pay for the right of way, and to compensate owners fairly for the inconvenience and damage caused by their operations. There is no reason why the city should not be likewise properly compensated, especially in view of the public annoyance caused by the breaking up of the streets and the increasing danger of injury to city water pipes and sewers by the multiplication of pipes of the various corporations under the roadways."

4. *Electric Lines Franchise and Electrical Subways.*—Chronologically the next franchise affecting electric lighting was granted in 1883 to the New York Electric Lines Company, giving permission "to lay wires or other conductors of electricity in and through the streets, avenues and highways of New York City, and to make connections of such wires or conductors under ground by means of the necessary vaults, test boxes and distributing conduits, and thence above ground with points of electrical illumination or of telegraphic or telephonic signal, in accordance with the provisions of an 'Ordinance to regulate the laying of subterranean telegraph wires and electric conductors in the streets of the city, passed by the Common Council and approved by the Mayor Dec. 14, 1878.'" This franchise was not strictly an electric lighting franchise. It is now owned by the Great Eastern Telephone Company. Further data in regard to it will be found in Exhibit II.

By chapter 534 of the Laws of 1884 the Legislature required telegraph and electric light companies in New York City to place their wires under ground. On June 13, 1885, the Legislature passed another act, being chapter 499 of the Laws of that year, providing for the appointment of Commissioners of Electrical

Subways in cities having a population of more than 500,000. In Brooklyn the Subway Commissioners were to be appointed by the Mayor, but in New York City by the Mayor, the Comptroller and the Commissioner of Public Works, who at that time constituted the Board of Street Lighting under section 69 of chapter 410 of the Laws of 1882, better known as the New York City Consolidation Act. The act establishing the Boards of Electrical Subway Commissioners in New York and Brooklyn gave these commissioners authority to pass upon the plans of all companies intending to place electrical conductors under ground. The law provided that unless a suitable plan for underground construction should be proposed and in use within sixty days after the passage of the act the Subway Commissioners were to go ahead and devise and make ready for use such a general plan as would meet the requirements of the law requiring all telegraph and electric wires to be placed under the streets, and gave the Commissioners full authority to compel all companies operating electrical wires to use the subways so prepared. The Board of Commissioners of Electrical Subways for the City of New York held its first meeting on July 20, 1885, and continued its operations until July 5, 1887, when under a new law passed by the Legislature the Mayor was joined with the Subway Commissioners to constitute the Board of Electrical Control. This Board continued in existence until the establishment of Greater New York, January 1, 1898, when its powers were transferred to the new Department of Public Buildings, Lighting and Supplies. When the charter was again revised in 1901 these powers were transferred to the Department of Water Supply, Gas and Electricity, where they still remain.

A contract was entered into between the Electrical Subway Commissioners and the Consolidated Telegraph & Electrical Subway Company on July 22, 1886, under which the company was authorized and required to construct electrical subways for the use of all companies lawfully operating electric wires in the City of New York. This agreement was modified by a contract under date of April 7, 1887, between the same parties. These contracts were expressly ratified by an act of the Legislature of 1887. In 1890 and 1891 by new contracts and legislation the work of constructing and operating electrical subways in New York City was divided between two companies. The Consolidated Telegraph & Electri-

cal Subway Company retained control over the conduits to be used for high tension wires. The Empire City Subway Company, Limited, took over the conduits used for telegraph and telephone wires, and also the conduits used by The Edison Electric Illuminating Company for its low tension distributing system, and acquired the right to construct subways for these uses in the future.

These companies do not supply electricity for any purpose and have been omitted from further consideration in this report.

5. *The First Harlem Franchise.*—Soon after the Board of Electrical Subway Commissioners was organized and an active campaign was begun to place electric wires in conduits under ground, a large number of new companies applied to the Board of Aldermen for franchise rights. The Harlem Lighting Company was authorized to operate in that portion of Manhattan Island above 86th Street and that portion of The Bronx west of the Bronx river. This resolution was adopted November 26, 1886, and approved by the Mayor December 7. The company was authorized “to erect, construct and maintain suitable wires or other conductors over the streets and avenues” in the wards named “for conducting and distributing electricity for electric lights, subject to the powers of the Subway Commission, under the supervision of the Department of Public Works in the said Twelfth Ward, and under the supervision of the Department of Public Parks in the said Twenty-third and Twenty-fourth Wards, but without the privilege of erecting poles.”

6. *The East River Franchise.*—On March 29, 1887, a franchise was given to the East River Electric Light Company, with permission “to place, construct and use wires, conduits and conductors for electrical purposes in the City of New York, and over and under the streets, avenues, wharves and piers therein or adjacent thereto, according to such plans as may be directed, approved or allowed by and subject to the powers of the Electrical Subway Commissioners and to the provisions of chapter 499 of the Laws of 1885, and under the supervision of the Commissioner of Public Works and of the Department of Public Parks within their respective territorial jurisdictions; and subject also to all existing ordinances applicable thereto, and to all reasonable regulations of the privilege conferred which the Common Council may hereafter impose by ordinance or otherwise.”

The original resolution was introduced in the Board of Aldermen on February 8, 1887, and applied only to streets and public places in the Eighteenth Ward. The resolution was referred to the Committee on Lamps and Gas, which reported:

"That having examined the subject they believe that the best interests of the city (the greatest consumer of electric light) as well as that of all private consumers require that the permission asked be given, and that the same be given immediately, inasmuch as within ten days advertisements for proposals to furnish electric light to the city will be published, to take effect May 1, next, and that only by the passage of such a resolution can competition be had with the existing monopoly of the Brush-United States electric light combination, and that having amended said resolution to secure to the city a proper compensation for the permission given, and making the same general, they therefore recommended that the said resolutions be adopted."

The compensation referred to in this report, as provided for in the franchise granted to the East River company, was the required furnishing by the company free of charge to the city for maintenance or otherwise, of one standard candle power street electric arc light of power equal to the average required at the time in contracts with the city, for every fifty arc lights furnished by the company to other consumers. The franchise also required that the company should pay the city a sum equal to one cent per lineal foot of streets occupied under any permit issued to open the streets, pavements or sidewalks for the purpose of laying conductors for the operation of incandescent or other than arc electric lights. With these conditions attached the franchise was passed by the Board of Aldermen by a vote of 17 to 7, and was not vetoed by the Mayor.

7. *The Omnibus Electric Franchise.*—On October 27, 1886, the Mount Morris Electric Light Company had petitioned the Board of Aldermen for the right to operate in certain streets in Harlem. On December 30, 1886, a resolution was introduced in the Board of Aldermen to extend the franchise of the Harlem Lighting Company to cover the whole city, and requiring the company to maintain one 2,000-candle power street light for every 50 lights furnished to private individuals. This resolution was referred to the Committee on Lamps and Gas and remained there. On January 18, 1887, a resolution was introduced and referred to a committee authorizing the Mount Morris Electric Light Company to operate in that part of the city north of 110th Street.

On April 19, 1887, petitions were received by the Board of Aldermen from the Waterhouse Electric and Manufacturing Company and the American Electric Manufacturing Company for franchises to operate throughout the city. These petitions were also referred to a committee. The Ball Electrical Illuminating Company also asked for a franchise on May 10, 1887, and its petition was referred to a committee.

In the meantime several unsuccessful efforts had been made to discharge the committees from further consideration of the various electric light petitions and resolutions which had been referred to them. Finally, on May 17 the president of the Board of Aldermen offered a resolution to the effect "that permission and authority are hereby given and granted to the electric lighting companies not now holding any such permission, and whose bids for lighting the streets of this city or any part of the same for the ensuing year shall be accepted by the Board of Street Lighting, to locate and erect poles, hang wires and fixtures thereon, and to place, construct and use wires, conduits and conductors for electrical purposes * * *." As compensation the companies were to furnish and maintain free of charge at least one street are light for every 50 arc lights furnished to private consumers, and to pay the city at the rate of one cent per lineal foot for all streets occupied under any permit issued to open the streets, pavements or sidewalks for the purpose of laying electric light conductors for the operation of other than arc lights.

This resolution precipitated a serious struggle. The whole matter was referred to the Committee on Lamps and Gas, with instructions to report at a special meeting to be held three days later, on May 20. On the latter date the Board of Aldermen received from Mayor Abram S. Hewitt a communication in regard to the electric light situation of the city so far as it related to street lighting. The Mayor, the Comptroller and the Commissioner of Public Works constituted at that time a commission whose duty it was to make contracts for public lighting. Mayor Hewitt said that the price for electric lights during the preceding year had been 70 cents per night per lamp. He continued:

"The lowest bid after readvertisement made during the present year was at the rate of 50 cents per night for lights of 1,000 candle power. One of these bids was accepted because it covered territory in which there was no

competition. * * * All other bids were rejected as being irregular, and new proposals were invited, which were opened on the 16th instant. Several of these bids were made upon condition that authority should be given by the city for erecting poles and stringing the wires necessary for the transmission of the electric current. Such bids could not, of course, be accepted even though they were the lowest and would save to the city annually a large amount of money. Under the circumstances the Gas Commission have adjourned a decision until Monday next in the hope that the Common Council will put the commission in a position to accept the lowest bid by giving authority to such bidder, whoever it may be, to establish the lights throughout the city, provided adequate security is given for the performance of the contract. It is now evident that the city can be supplied with electric lights at a cost not greater than that which heretofore has been paid for lighting with gas. The preference of the public for the electric light is pronounced and the advantages in the prevention of crime, the good order of the city and the general comfort of the inhabitants is so marked that the commission feel it to be their bounden duty to extend the electric lighting system so far as the means at their command will permit. This cannot be done without the co-operation of your Honorable Body in giving the necessary consent. On what principle this should be denied I cannot see. By refusing to give the consent you condemn the city to imperfect illumination and you increase the cost unnecessarily of the lights which ought to be provided for the public accommodation. Every consideration, therefore, of public duty would seem to invite you to pass such a resolution as will put the Gas Commission in a position to provide the city with lights at a reduced cost and upon the enlarged scale required by public opinion."

At the same session of the Common Council two reports were received from the Committee on Lamps and Gas. The minority recommended the passage of the resolution granting permission to any electric light company whose bids for public lighting put in May 16, 1887, should be accepted by the Board of Street Lighting, in those streets and public places for the lighting of which such company should be the lowest valid bidder. The resolution further required that the company should furnish the city free of charge one full arc light for every five arc lights furnished to other consumers, and should furnish on the streets and avenues where it received a franchise electric lights at the same rates as were to be charged the city under its bids, eight incandescent lights being rated as equal to one 1,000-candle-power arc light. Any such company would furthermore be required to pay the city a sum equal to one cent per lineal foot of streets occupied by it, and would be required to give a bond of \$100,000 to insure its compliance with the provisions of the resolution.

The majority of the committee offered a resolution to give a general franchise to the five electric lighting companies whose separate applications were then pending, and requiring the companies to supply the city with one free arc light for every 50 arc lights furnished to private consumers, and to pay one cent per lineal foot for the streets occupied.

At the same session a communication was received from the Corporation Counsel advising the aldermen that under the law they would have no power to regulate the price to be charged either to the city or to private persons for electricity furnished by the companies. The Corporation Counsel's opinion was to the effect that the price of electric light could not be regulated even at the time the franchise was granted as a condition of the consent of the local authorities.

As a result of the communications and debate the indefinite resolution offered by the minority of the committee was adopted. At the next session of the Board of Aldermen, however, on May 24, the resolution was vetoed by Mayor Hewitt on the ground that it did not "afford the opportunity to all companies who in good faith intend to compete for lighting the streets of the city, but is expressly limited to those companies whose bids were put in on the 16th of May, 1887." He said that the limitations contained in the resolution would in effect cut off from competition all companies except the Brush Electric Illuminating Company, the United States Electric Illuminating Company and the East River Electric Light Company. He said also that representatives of the Waterhouse Electric and Manufacturing Company, the American Electric Manufacturing Company, the Mount Morris Electric Light Company and the Ball Electrical Illuminating Company had appeared before the Lighting Commission and offered to make bids on condition that they could secure franchises from the city. He said that, in addition to the reasons which he had advanced in his communication of May 20, he was satisfied that the city would save a very large amount every year in the expenses of the Police Department if better public lighting should be provided. He called attention to the conditions attached to the resolution which he vetoed, and said that in the opinion of the Corporation Counsel these conditions were null and void. He referred to the fact that

the Aldermen had recently given a franchise to the East River Electric Light Company without any such conditions, and that he had promptly approved of this franchise because it gave the city one more competitor for the contract for city lighting. Upon receiving this message from the Mayor the Board of Aldermen voted to hold a special meeting three days later, on May 27, and to make the report of the majority of the Committee on Lamps and Gas a special order for consideration on that date.

On May 27 a petition was received from still another company, the North New York Lighting Company, and its name was added to the list of companies to whom it was proposed to grant a franchise. The whole matter was again referred to a committee to be taken up for final consideration on May 31, 1887. This time the full committee agreed upon a report, in which it urged the expediency of extending the lighting of the public streets by electricity as far as the means of the city would permit. The committee said:

"The superiority of electric light over gas for thorough illumination is incontestable and in view of the valuable results to be obtained there should be no hesitation on the part of those controlling the matter to the most liberal extension of its use.

"To attain this object it is necessary that there should be persons prepared to supply it, and that there should be a reasonable approximation of its cost to that of gas. The applications for our consent now before the board assure us of the possibility of an eager competition for its supply.

"The reduction in price also is within our control through the activity of that competition which it is in our power to set in motion by conceding the consents asked for.

"The business is now in the hands of three or four companies.

"It is not reasonable to expect that they will voluntarily sacrifice obtainable profits from motives of benevolence or public spirit.

"The spirit of trade is essentially selfish and the cheapness of every product has been brought about, not by self-sacrifice but by active competition of others in the same field of industry, who finding sufficient profit at lower rates, attract the consumer by reduced charges and compel their rivals in turn to resort to still further reductions in the effort to retain the public custom, which always seeks the cheapest market.

"It rests with this board to say whether this process of competition, which must result in cheap and better light to our constituents, shall take place.

"If we grant the consents asked for by companies who have applied to us the inevitable effect of our action and the consequent free competition must be such a reduction in the charges for electric lighting as will not only

make it possible for the Board of Street Lighting to carry out the request embodied in the resolution of the Vice-President, but will also bring the free use of electric lighting within the means of thousands who are now prevented by the practical monopoly of the business enjoyed by a few corporations.

"It must be remembered by those who are so anxious that this form of light shall be supplied to private consumers at a moderate cost that the patronage of the city is all important to the spread of the system. The certainty of the large customer whose patronage will at least pay the running expenses of the business offers the necessary inducement to the outlay in machinery, poles and wires, and thus makes it possible for the private consumer, before whose door the wires pass, to reach a supply which would otherwise be unobtainable, and as the private demand, stimulated by a more general use, increases, the encouragement to competition will inevitably invite business and attract other companies to the field.

"It has been claimed by some that this board should as a condition of granting its consent require that the companies should agree to supply private consumers at a rate not exceeding a fixed sum per light."

The first reason advanced by the committee for not limiting the charges was the fact that the Corporation Counsel had given an opinion adverse to the power of the aldermen to regulate rates in granting an electric light franchise. The second reason was that, as the companies had not yet commenced business, and as the rate at which they could afford to supply private consumers would depend upon the number of their customers, and as it was impossible to foresee which company would get the largest number of customers, the aldermen could not fix a limit of charge applying to all the companies alike which would be reasonable with one and not be unreasonable with another. The committee suggested that if, after the electric light business had attained greater proportions, combinations between the companies should result in an excessive or unnatural price for electric lighting, the state legislature would have the power to intervene and regulate the price. The third reason given by the committee for not fixing a maximum rate in the franchise was the fact that a franchise had just been given to the East River Electric Light Company without any such condition.

The resolution reported by the committee granting a blanket franchise was adopted May 31, 1887, and approved by the Mayor on June 13th. The companies which obtained rights under this franchise were the following:

Waterhouse Electric & Manufacturing Company.
 American Electric Manufacturing Company.
 The Ball Electrical Illuminating Company.
 The Mount Morris Electric Light Company.
 The Harlem Lighting Company.
 The North New York Lighting Company.

This franchise was brief and simple in its terms. It gave the companies the right "to locate and erect poles and hang wires and fixtures thereon and to place, construct and use wires, conduits and conductors for electrical purposes in the City of New York, in, over and under the streets, avenues, wharves, piers and parks therein or adjacent thereto, according to such plans as may be directed, approved or allowed by and subject to the powers of the Electrical Subway Commissioners * * * and under the supervision of the Commissioner of Public Works and the Department of Public Parks within their respective territorial jurisdictions, and subject also to all existing ordinances applicable thereto, and to all reasonable regulations of the privilege hereby conferred which the Common Council may hereafter impose by ordinance or otherwise."

As compensation for the privilege the companies were to furnish free of charge to the city "one full arc light of power equal to the average required at the time in contracts with the city for such electric lights, for every 50 arc lights furnished by said companies to other consumers." The companies were required upon request of the Board of Street Lighting to make return under oath of the number of private arc lights furnished by them. The companies were also required to pay the city one cent per lineal foot of streets occupied for other than arc electric lights.

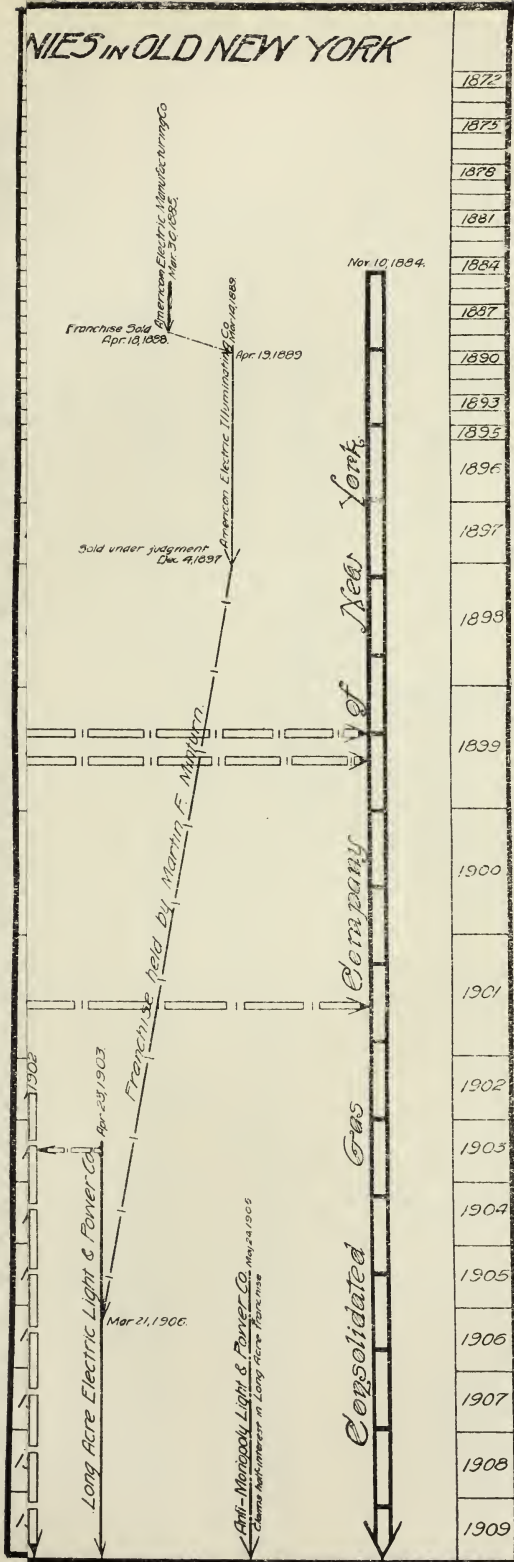
8. *The Mutual Franchise*.—On June 7, 1887, a few days after the granting of an electric light franchise to the six companies mentioned in the preceding section, the Board of Aldermen passed a resolution granting a franchise to the Mutual Electric Illuminating Company. This grant was substantially in the same terms as the one last described, but the conditions imposed were different. As compensation the company was to pay not less than 20 per cent of its gross receipts "and make return of the same to the Comptroller under oath monthly." The company was also to give a bond to the city in the sum of \$50,000, conditioned upon

the faithful performance of the terms of the resolution and to secure the city against suits or damages for the infringements of patents. This franchise resolution was approved by the Mayor June 20, 1887. No indication has been found to show that this franchise was ever exercised by the company to which it was rented or by any one else.

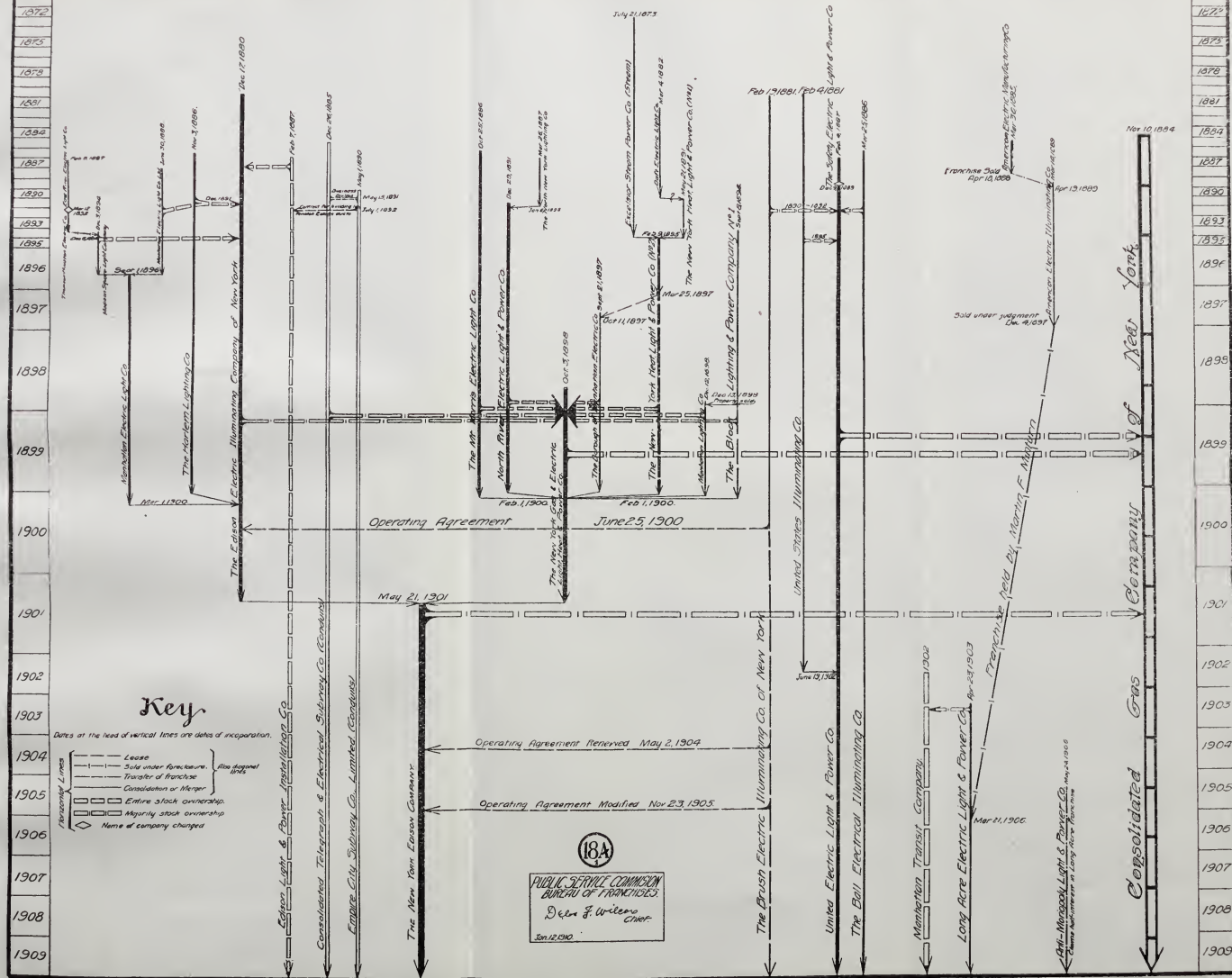
9. "*Franchises*" *Granted by Board of Electrical Control, 1887 to 1897.*—It appears that no electric light franchises were granted by the Board of Aldermen of the old City of New York after June 7, 1887. It seems to have been assumed that the right to grant such franchises passed to the Board of Electrical Control. At any rate that board in the exercise of its functions attempted to make several such grants, but the Court of Appeals, in the case of the *West Side Electric Company v. The Consolidated Telegraph and Electrical Subway Company*, 187 N. Y. 58, decided January 7, 1907, that the Board of Electrical Control had at no time possessed the franchise-giving authority of the City of New York, but that such authority was vested in the Common Council even during the years when the board was assuming to exercise it. It is not necessary, therefore, to describe in detail the history of the various so-called "franchises" granted by this board. The following is a list of them:

- (1) Franchise granted September 20, 1887, to *The (New York) Safety Electric Light & Power Company*.
- (2) Franchise granted October 19, 1888, to the "*Electric Power Company*," H. M. Hawkesworth, President.
- (3) Franchise granted February 8, 1893, to *The New York Heat, Light & Power Company*.
- (4) Franchise granted November 12, 1894, to *The Block Lighting & Power Company No. 1*.
- (5) Franchise granted June 7, 1895, to the *Madison Square Light Company*.
- (6) Franchise granted October 29, 1896, to the *Fleischauer Electric Light & Power Company*.
- (7) Franchise granted November 12, 1896, to *The West Side Electric Company*.
- (8) Franchise granted December 7, 1897, to *The Metropolitan Electric Light, Heat and Power Company*.
- (9) Franchise granted December 31, 1897, to the *Greater New York Electric Light and Power Company*.
- (10) Franchise granted December 31, 1897, to the *Commercial Light, Heat & Power Company*.
- (11) Franchise granted December 31, 1897, to the *Colonial Electric Company of New York*.
- (12) Franchise granted December 31, 1897, to the *Pelham Electric Light & Power Company*.

COMPANIES IN OLD NEW YORK



CORPORATE HISTORY OF ELECTRIC LIGHT AND POWER COMPANIES IN OLD NEW YORK



Although no one of these franchises was valid, operation was carried on under many of them for several years. The United Electric Light and Power Company, successor by change of name to the (New York) Safety Electric Light and Power Company, operated under the "franchise" of September 20, 1887, at least until 1902. The Madison Square Light Company held the East River Electric Light Company franchise from the Board of Aldermen, as well as the grant to itself from the Board of Electrical Control. The New York Heat, Light and Power Company, the Block Lighting and Power Company No. 1, the Manhattan Lighting Company and the Borough of Manhattan Electric Company, however, had no other right to operate except the rights derived from the Board of Electrical Control. The grants to the Fleischauer Company and the West Side Electric Company were used on a small scale by those companies until 1907. The Electric Power Company's grant may have been used by that company for a time. The franchises granted to the Metropolitan Electric Light, Heat and Power Company, the Greater New York Electric Light and Power Company, the Commercial Light, Heat and Power Company, the Colonial Electric Company and the Pelham Electric Light and Power Company seem never to have been used at all. The grant to the Pelham company, however, is still claimed for what it is worth by the Westchester Lighting Company.

Twelve electric lighting franchises and the 12 grants of the Board of Electrical Control were issued originally to 23 different companies. At present there are only three companies that are operating at all, and one of these has less than a dozen consumers. It buys the small amount of current it sells from one of the other companies. The New York Edison Company has undisputed title to the original Edison franchise of 1881 and four others granted in 1887. The Edison company also holds the original franchise for a limited territory granted to the Harlem Lighting Company in 1886, but this grant is of no importance as it was practically superseded by the general grant to the same company in 1887. The United Electric Light and Power Company possesses the old United States franchise of 1881. It also controls the Brush franchise through the ownership of practically all of

the capital stock of that company. The Brush company is dormant, all of its business being carried on by the Edison company. The franchise of the Ball Electrical Illuminating Company is still held by that company, which is now dormant, having passed under the control of the United Electric Light and Power Company, through stock ownership.

The franchise of the American Electric Manufacturing Company is now claimed by the Long Acre Electric Light and Power Company.

The franchise of the Waterhouse Electric and Manufacturing Company has been lost. The company seems never to have engaged in active operation to any considerable extent, and it is not known that its franchise was ever transferred to any other company or person. In fact, a thorough search of the indexes in the Secretary of State's office has failed to show any reference to the incorporation of a company in this state under this name.

The franchise of the Mutual Electric Illuminating Company seems also to have been lost. Its terms were such that no one seems to have taken any practical interest in finding it.

III. Corporate History of the New York Edison Company.

The New York Edison Company is the successor, through purchase, merger and consolidation, of fifteen or sixteen original electric light and power companies and one steam company, as follows:

The New York Edison Company, incorporated May 21, 1901, as a consolidation of

The Edison Electric Illuminating Company of New York, incorporated December 17, 1880, which absorbed by merger

The Harlem Lighting Company, incorporated November 3, 1886, and Manhattan Electric Light Company, incorporated September 1, 1896, as a consolidation of

Manhattan Electric Light Company, Limited, incorporated June 30, 1888, and

Madison Square Light Company, incorporated December 3, 1894, as a re-organization of

Thomson-Houston Electric Company (name changed March 12, 1892, from East River Electric Light Company), incorporated February 8, 1887, and

The New York Gas & Electric Light, Heat & Power Company, incorporated October 3, 1898, which on February 1, 1900, absorbed by merger

The Mount Morris Electric Light Company, incorporated October 25, 1886;

- North River Electric Light & Power Co., incorporated December 9, 1891, as a re-organization of
 The North New York Lighting Company, incorporated March 26, 1887;
 The Borough of Manhattan Electric Company, incorporated September 21, 1897;
 The New York Heat, Light and Power Company, incorporated February 9, 1895, as a consolidation of
 The New York Heat, Light & Power Company, incorporated May 21, 1891, and said to be successor of Daft Electric Light Company, incorporated March 4, 1882, and
 Excelsior Steam Power Company (steam, not electric), incorporated July 21, 1873;
 Manhattan Lighting Company, incorporated December 21, 1898; and
 The Block Lighting & Power Company No. 1, incorporated September 8, 1894.

The Edison Electric Illuminating Company of New York was the first electric lighting company in the city. It was incorporated December 17, 1880, for a period of 50 years under the Act of February 16, 1848, entitled "An Act to authorize the formation of gas light companies," and the various acts of the legislature adding to and amending this act. One of these amendatory acts was chapter 512 of the Laws of 1879, by which companies organized under the Gas Corporations Law were authorized to substitute electricity for gas as a means of public and commercial lighting. The Edison company placed its wires under ground from the beginning, in what are known as "Edison tubes." Its system was a low tension system. The Harlem Lighting Company, the East River Electric Light Company (name afterwards changed to Thomson-Houston Electric Company) and Manhattan Electric Light Company, Limited, were incorporated several years later for the distribution of electricity for light and power by the use of various high tension systems. About December, 1891, the Edison company got control through stock ownership of the Harlem company and the Manhattan company, which were already under common control, and about December, 1894, it also got control of the Madison Square Light Company, which had succeeded to the property and franchises of the Thomson-Houston Electric Company. On September 1, 1896, the Manhattan company and the Madison Square company were consolidated to form the Manhattan Electric Light Company. The systems of the Harlem company, the Manhattan company and the Madison Square company were practically operated by the Edison company, although the companies were not actually merged into the

Edison company until March 1, 1900. Furthermore, the high-tension systems of these subsidiary companies had necessarily been kept separate in operation from the Edison company's own low-tension system.

The New York Gas and Electric Light, Heat and Power Company, which was popularly known as "The Power Company," was incorporated October 3, 1898. Almost immediately this company acquired the entire capital stock of the six companies which were later absorbed by it through merger. It also acquired a controlling interest in the stock of the Edison Electric Illuminating Company of New York. In December, 1899, a little more than a year after its incorporation, the Power company itself passed under the control of the Consolidated Gas Company of New York, through majority stock ownership by the latter company. The companies forming the Power company's system all used high tension wires, but after January 1, 1899, their operations and the operations of the companies in the Edison system were subject to common control.

Finally, on May 21, 1901, the Edison Electric Illuminating Company of New York and the New York Gas and Electric Light, Heat and Power Company were consolidated to form the New York Edison Company.

When the city adopted the general plan for electrical subways in 1886 and entered into contract with the Consolidated Telegraph and Electrical Subway Company for their construction, the Edison Electric Illuminating Company was in a different position from that of any other company having wires in the streets. It had placed its wires under ground from the beginning. After the electrical subway contracts had been executed the Consolidated Telegraph and Electrical Subway Company assumed the duty of constructing for the Edison company the special ducts required for its low tension lighting wires. It seems that the actual construction of the electrical subways was performed for the Subway company by the Phoenix Construction Company under contracts. Although the construction of the Edison tubes was a part of the duty of the Subway company, the Edison company preferred to keep this work under its own control. Accordingly, the Edison Light and Power Installation Company was incorporated Feb-

ruary 7, 1887, with all of its stock held by the Edison Electric Illuminating Company, and from that time on the Edison ducts were built by the Edison Light and Power Installation Company as sub-contractors for the Phoenix Construction Company, until the separation of the high tension from the low tension ducts four years later. The Empire City Subway Company, Limited, having been incorporated in 1890 to take over the systems of low-tension ducts from the Consolidated Telegraph and Electrical Subway Company and contracts providing for the division of the business having been executed in 1891, the Edison Light and Power Installation Company entered into an agreement with the Empire City Subway Company, Limited, under which the former secured the right to lay the Edison tubes as the agents of the latter. The first agreement between these companies was dated July 1, 1892, and the business relations between the two companies and between the Edison Light and Power Installation Company and the New York Edison Company remain substantially the same to the present time. In other words, the New York Edison Company, through its subsidiary, the Edison Light and Power Installation Company, builds the low-tension ducts for its own use, but builds them under contract with and as agent of the Empire City Subway Company, Limited, which has the exclusive right and duty under its contract with the city to construct and maintain all low-tension electrical subways.

Through its amalgamation with other electric light and power companies using high tension systems, the old Edison company necessarily again came into relations with the Consolidated Telegraph and Electrical Subway Company, even after the high-tension and low-tension systems of conduits had been separated. As a part of the general process of consolidation carried through by the New York Gas and Electric Light, Heat and Power Company in 1898, the latter company acquired a majority of the capital stock of the Consolidated Telegraph and Electrical Subway Company at about the same time that it also acquired a majority of the capital stock of the old Edison company. Accordingly, when the New York Edison Company was formed in 1901 it inherited from "The Power Company" the control of the Consolidated Telegraph and Electrical Subway Company. This control it still retains.

The control of the whole aggregation of electric light and power companies passed to the Consolidated Gas Company in December, 1899, when that company secured a majority of the capital stock of The Power Company. At the formation of the New York Edison Company in 1901 all but a few of its shares were taken by the Consolidated Gas Company, which still retains them.

In order to make clear the historical development of the various electric light companies in old New York, the accompanying chart, entitled "Corporate History of Electric Light and Power Companies in Old New York," has been prepared. This chart shows the dates of incorporation, change of name, foreclosure, sale, lease, merger, acquisition of stock and consolidation of the various companies. (*See chart opposite page 234.*)

IV. Existing Rights and Obligations of Edison Company.

The five franchises to which the New York Edison Company has undisputed title and which were obtained by the various mergers, purchases and consolidations above described are:

- (1) Franchise granted April 19, 1881, to The Edison Electric Illuminating Company of New York.
- (2) Franchise granted April 1, 1887, to the East River Electric Light Company.
- (3) Franchise granted, June 13, 1887, to The Harlem Lighting Company.
- (4) Franchise granted, June 13, 1887, to The North New York Lighting Company.
- (5) Franchise granted, June 13, 1887, to The Mount Morris Electric Light Company.

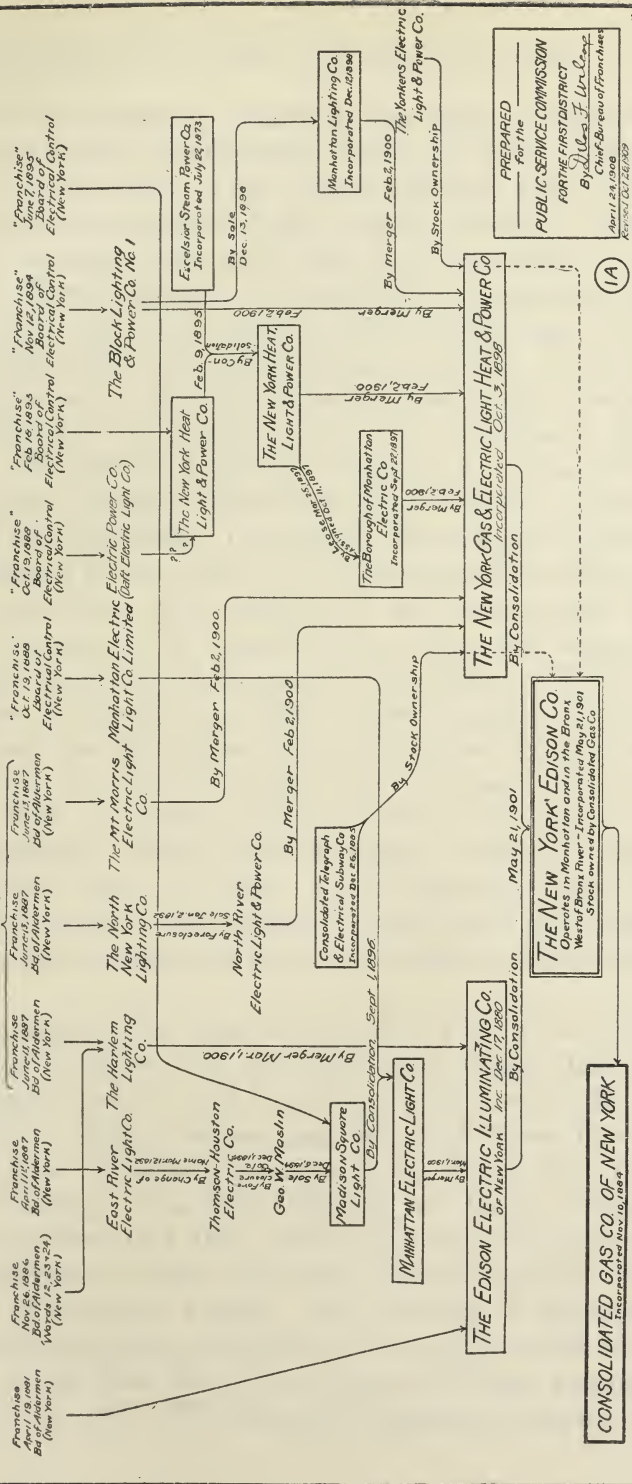
The predecessors of the New York Edison Company also received the following grants from the Board of Electrical Control:

- (6) "Franchise" granted October 19, 1888, to Manhattan Electric Light Company, Limited.
- (7) "Franchise" granted February 8, 1893, to The New York Heat, Light & Power Company.
- (8) "Franchise" granted November 12, 1894, to The Block Lighting & Power Company No. 1.
- (9) "Franchise" granted June 7, 1895, to the Madison Square Light Company.

The process by which the franchises and grants came into the possession of the present company is shown by the accompanying chart, entitled "Franchises owned or controlled by the New York Edison Company."

FRANCHISES OWNED OR CONTROLLED BY THE NEW YORK EDISON COMPANY

OWNED OR
CONTROLLED BY
Some Resolution



PREPARED _____ for the _____
PUBLIC SERVICE COMMISSION
FOR THE FIRST DISTRICT
By *Doris F. Wilson*
Chief-Bureau of Franchises
April 24, 1906
Witness: *W. J. ...*

1A

As all of the franchises granted by the Board of Electrical Control were invalid, as afterwards determined by the Court of Appeals, it follows that all the electric light and power mains laid under these franchises were laid without authority. According to the testimony of Mr. J. W. Lieb, Jr., vice-president of the New York Edison Company, it is impossible at the present time to differentiate in detail the existing mains of the company which were originally laid under these illegal franchises. All of the low-tension mains of the Edison Electric Illuminating Company of New York were laid under the aldermanic franchise of April 19, 1881. The Harlem Lighting Company and the East River Electric Light Company (Thomson-Houston Electric Company) each had a valid franchise. The Madison Square Light Company which succeeded to the rights of the Thomson-Houston Electric Company, also had a valid franchise, as well as an invalid one. The only company in the original Edison group that depended for its rights upon a franchise granted by the Board of Electrical Control was the Manhattan Electric Light Company, Limited. This company was incorporated June 30, 1888, and was not consolidated with the Madison Square Light Company until September 1, 1896. It appears, therefore, that all the mains laid by the Manhattan Electric Light Company, Limited, between 1888 and 1896 were laid without proper authority. Mr. Lieb testified that the New York Edison Company could not furnish any maps or other information showing the location of these original mains.

Of the companies that came into the New York Edison Company through the New York Gas and Electric Light, Heat and Power Company two had valid franchises. These were the Mount Morris Electric Light Company and the North River Electric Light and Power Company, successor of the North New York Lighting Company. The Block Lighting and Power Company No. 1 and the New York Heat, Light and Power Company were entirely dependent for their rights upon invalid franchises from the Board of Electrical Control. The Borough of Manhattan Electric Company had no franchises of its own, but succeeded to the rights of the New York Heat, Light and Power Company through lease in 1897. The Manhattan Lighting Company also

had no rights of its own, but succeeded to the rights of the Block Lighting and Power Company No. 1, by purchase in 1898. It appears, therefore, that the only mains lawfully laid by the constituent companies of the Power Company's system were laid by the Mount Morris Electric Light Company and the North New York Lighting Company or its successor, the North River Electric Light and Power Company, or by the Power Company itself after February 1, 1900, when it succeeded to the franchises of its constituent companies by merger.

The mains laid and the areas supplied by the various companies are set forth in detail in Exhibit III, so far as the data in the files of the Commission will permit. It is probable, therefore, that at the most not more than 50 miles or 5 per cent of Edison underground circuits now in operation could be traced to the activities of the old companies operating under the invalid "franchises" granted by the Board of Electrical Control.

Certain very interesting questions arise, however, in regard to the terms and conditions of the several franchises under which the New York Edison Company may now claim to be operating. The attention of Mr. Hemmens, counsel for the company, was called to the fact that the original Edison franchise of 1881 authorized the company to supply electrical current "for purposes of *illumination*." The most interesting portion of his testimony is as follows (p. 1476 of record):

"Q. The Edison franchise, that is, the franchise granted in 1881, was for illumination only, was it not? A. For the purposes of illumination.

"Q. Under that you haven't any right to supply current for power? A. Well, I think we have.

"Q. Can you refer us to the section? A. Well, only from a broad reasoning, that is all. The franchise was an electric franchise granted for the purpose of conveying, using or supplying electrical current for purposes of illumination, and the other purposes for which electricity is used are incidental. We would have the right even, with the wording of this franchise, to sell current for other purposes besides that for lighting; incidental purposes. It is something that has grown since then. There was not much power used at that time; there was not any. No electricity was used except for lighting purposes; practically the same as the gas question. I do not suppose gas was used for heating or cooking when the franchises were first granted."

It is to be noted that if the original Edison franchises were to be interpreted as authorizing the sale of electricity for illumination *only*, none of the mains laid by the old Edison company prior to March 1, 1900, could be used for the distribution of current for heating or power. Prior to that date the Edison company had in operation 302 miles of electrical circuits, some of which were high-tension circuits. Mr. Hemmens stated that the use of electricity for heat and power came up after the original Edison franchise was granted, and Mr. Lieb testified that power was served from the Edison station long before 1887. He thought that the current was supplied for power as early as 1883 or 1884, as soon as motors were invented for its use.

If the original Edison franchise could not be used in connection with the supply of electricity for heat and power, it would be necessary for the company to operate practically all its lines under the four later franchises which it has inherited from other companies. All of these franchises, however, provide for compensation to the city. They provide that the company shall furnish to the city free of charge one street arc light for every 50 arc lights furnished to private consumers. Mr. Lieb testified that the New York Edison Company is still supplying a certain number of free arc lights to the city, representing admitted obligations of the various constituent companies at the time when they were merged or consolidated. He introduced a copy of the sworn statement which is filed regularly every month with the city bills, showing that the New York Edison Company, as successor of the Manhattan Electric Light Company, the Harlem Lighting Company and the Mount Morris Electric Light Company, supplied a certain number of arc lights, "properly included within the terms" of the franchise to private consumers, and that under the conditions imposed upon its predecessor companies in this resolution, the New York Edison Company was furnishing 23 free lights located at certain specified points. While he supposed that the obligation to furnish these lights had ceased, as a matter of fact the New York Edison Company continued to furnish them. He argued at considerable length that the free lighting provisions of the franchises were no longer applicable, but the gist of his remarks is in the following sentences: "There has been a change

in the state of the art", said he. "We do not practically furnish are lights any more. *The consumer furnishes his own arc light.*

* * * We simply furnish current; we do not furnish the are lights specifically, or the incandescent. We furnish the customer with so much current. He does with it what he pleases, or uses incandescent lamps, or whatever are lamps of whatever power he wishes; that is something beyond our control." When asked if he did not think that the Common Council originally intended to provide that for every 50 arc lamps to which current was supplied by the company one lamp should be supplied with current for street lighting free, Mr. Lieb said (page 1483): "Under the conditions that they were doing their business then, and supplying current then, yes, sir; but not as it is done now, because you might have a thousand lamps now and not produce a penny of income under the meter arc-light system, and it would not be practicable for the company to supply a lamp free for every fifty lamps, when it had no income on them. That is the difference which the state of the art has brought about." The following questions and answers illustrate the company's point of view as shown by Mr. Lieb's testimony:

"Q. Now it gets paid for the current? A. Yes, but we do not put it out for arc lighting. We do not know what it is for. There is no separation; whether it is for arc lighting or not.

"Q. That is true enough, but it would be possible to determine approximately how many arc lights were in use, and, if your interpretation is right, does it not all resolve itself into this: That the Company, by the change in its method of dealing with arc lamps, has rendered a provision of the franchise of no effect? A. Not the Company, but the state of the art."

It is important to note that the city has never, according to the knowledge of Mr. Lieb, made a demand upon the New York Edison Company for free lighting as provided for by certain of its franchises.

All of the New York Edison Company's franchises, including the original one, provide that the company shall pay one cent per lineal foot of streets opened for underground work. There is an exception in the four later franchises, however, in case the streets are opened for the laying of mains to supply arc lights. This provision has become obsolete because all of the underground

conduits, including the ducts for the service wires, are laid by the electrical subway companies or their agents. In other words the New York Edison Company never opens the pavements and consequently is under no obligation to pay the city the one cent per lineal foot for which provision was made in the franchises.

All of the valid franchises held by the New York Edison Company were granted by the Board of Aldermen prior to the time when that portion of The Bronx east of the Bronx river, known as the annexed district, was brought into the city. During the investigation the question arose as to whether at the time of the annexation of new territory to the city in 1895 the franchises granted by the city prior to that time automatically extended to include the annexed territory. The practical question is: Does the New York Edison Company have franchise rights for the distribution of electricity in the annexed district? The company's counsel, Mr. Hemmens, answered this question in the affirmative. He based this claim on the principle that the addition of territory to the city in 1895, *ipso facto*, gave the company the right to supply in that territory, and also "on decisions of the courts" and "the statutes under which the annexation took place." He stated that "the statutes contain the provision which we claim gives us the right, in addition to the decisions of the courts in various states and the general principle of law." He did not cite, however, any specific authorities on this point. It should be noted here that whatever may have been the effect of the annexation of new territory in 1895 upon existing franchise rights, there was a specific provision in the later act providing for the consolidation of various districts with old New York to form Greater New York, to the effect that franchise rights should not be territorially extended by that consolidation. Accordingly, even if the company's theory that the "franchise follows the flag" is correct, the company does not claim that it has any franchise rights in Brooklyn, Queens and Richmond.

A condensed analysis of the provisions of the existing valid franchises of the New York Edison Company is given in Table I.

TABLE I.
ANALYSIS OF ELECTRIC LIGHT FRANCHISES HELD BY THE
NEW YORK EDISON CO.*

Territory covered: Manhattan, and The Bronx west of Bronx River.
Area: 26,355 acres; 41.4 square miles. Population in 1910 — 2,713,369.

Original grantee.....	Edison Electric Illuminating Co. of New York.	East River Electric Light Co.	Harlem Lighting Co., North New York Lighting Co. and Mt. Morris Electric Light Co.
Local authority.....	Board of aldermen...	Board of aldermen..	Board of aldermen.
Date of franchise.....	First passed March 22, 1881. Passed over veto, April 19, 1881.	Passed March 29, 1887.	Passed May 31, 1887.
Action by mayor.....	Vetoed April 5, 1881.	Approved April 1, 1887.	Approved June 13, 1887.
Scope of franchise.....	Purposes of illumination.	Electrical purposes..	Electrical purposes.
Compensation in money.	One cent per lineal foot of streets opened for underground work.	One cent per lineal foot of streets opened for other than arc lights.	One cent per lineal foot of streets opened for other than arc lights.
Free lighting.....	.....	One street arc light for every fifty arc lights furnished to private consumers.	One street arc light for every fifty arc lights furnished to private consumers.
Right to regulate service reserved.	.....	Right of "reasonable regulation" reserved to Common Council.	Right of "reasonable regulation" reserved to Common Council.
Publicity of accounts...	.....	Sworn statement required of number of private arc lights furnished.	Sworn statement required of number of private arc lights furnished.
Wires.....	.....	Subject to electrical subway commissioners.	Subject to electrical subway commissioners.
Underground construction required.	.....	Subject to chapter 499, Laws of 1885.	Subject to chapter 499, Laws of 1885.
Excavations in streets..	Sewers, water pipes, gas pipes, etc., not to be damaged.	Subject to electrical subway commissioners.	Subject to electrical subway commissioners.
Right to inspect and supervise work.	Under direction of Commissioner of Public Works.	Reserved to Commissioner of Public Works and Department of Public Parks in their respective jurisdictions.	Reserved to Commissioner of Public Works and Department of Public Parks in their respective jurisdictions.
Grant exclusive.....	.....	.....	No.
Grantee's "successors or assigns" recognized in franchise.	No.....	Yes.....	No.
Number of times franchise has been transferred.	One.....	Five.....	Two; three; two.

*All these franchises are without time limit.

V. Corporate History of the United Electric Light and Power Company.

The United States Illuminating Company was incorporated February 4, 1881, for a period of 50 years, under the Act of 1848 to authorize the formation of gas-light companies, and its amendments. The company operated independently under its franchise for a number of years.

The Brush Electric Illuminating Company of New York, which received its franchise at the same time as the United States company, was incorporated February 19, 1881, for a period of 50 years, under the Manufacturing Corporations Law of 1848 and its amendments. This company also operated independently for a number of years.

The Ball Electrical Illuminating Company was incorporated March 25, 1886, under the General Manufacturing Corporations Law of 1848. Mr. Frank W. Smith, Secretary of the United Company, testified that he did not think that the Ball Company had operated since 1888 or 1889, and that it operated only to a very small extent at any time.

The Safety Electric Light and Power Company was incorporated February 4, 1887, under the General Manufacturing Corporations Law of 1848, its name being afterwards changed, December 9, 1889, to the United Electric Light and Power Company. The objects for which the company was formed were described in its certificate of incorporation as follows: "The manufacturing of electricity for the purposes for which electricity is now or may hereafter be used, useful or utilized, including all lawful right to manufacture and use electricity for producing light, heat or power as contemplated by the act, chapter 73 of the Laws of 1882 passed April 17, 1882, entitled 'An Act to amend chapter 512 of the Laws of 1879, entitled "An Act to authorize gas light companies to use electricity instead of gas for the lighting of streets, public places and public and private buildings in cities, villages and towns within this state."'" This company received no franchise from the Board of Aldermen, but operated under rights granted by the Board of Electrical Control.

It appears from Mr. Smith's testimony that this company first became interested through stock holdings in the United States Illuminating Company, the Brush Electric Illuminating Com-

pany of New York and the Ball Electrical Illuminating Company of New York, in 1890, and had acquired a controlling interest in the Brush and Ball Companies by 1892 and in the United States Company by 1895. On June 12, 1902, the United Electric Light and Power Company absorbed by merger the United States Illuminating Company, but, according to Mr. Smith's testimony, the United States Company had not been operating since 1889 or 1890, when the overhead poles and wires were removed from the streets by the city authorities. In the meantime the company had maintained stations but no distributing system. The Brush and Ball Companies, however, remain as subsidiary controlled companies. Both of them are dormant. The United Electric Light and Power Company owns only a little over half of the stock of the Ball Company. This fact prevents, it is stated, the merger of the Ball Company by the United Company. The Ball Company has no property except its franchise, and no receipts. The minority of its stock is held by individuals, who seem to consider the stock worth "a lot of money," and, according to Mr. Hemmens's testimony, "will not sell it at a reasonable price."

There is also a minority of the stock of the Brush Company which is not owned by the United Company, but this minority constitutes only a few shares. It should be stated, however, that the Brush Company, although it was under the control of the United Electric Light and Power Company, entered into an operating agreement, June 25, 1900, with the Edison Electric Illuminating Company, by which the latter was to operate the Brush plant and serve the Brush customers, paying to the Brush Company a certain percentage of the gross receipts from the business. This operating agreement was renewed with the New York Edison Company May 2, 1904, on a different basis, the Edison Company agreeing to pay the Brush Company an annual rental of \$86,940, which was reduced in 1905 to \$47,656. It does not appear from the testimony that the New York Edison Company is now getting any substantial benefit in return for the rental it pays to the Brush Company. The New York Edison Company gets no additional franchise rights and all of the Brush property, except possibly a few cables and fixtures, has disappeared. With reference to the value of this contract to the Edison Company Mr. Lieb testified (page 1494):

"Q. Well, as a matter of fact, the Edison Company now is getting practically no return from the Brush Company for the \$47,000 rental. A. Except it has the business; use of its business, and taking the business, and its customers were all transferred to us. They turned over to us all of their business and let us transact their business instead of their doing it themselves; they turned over to us all the profits and turned over to us—practically, went out of business as far as supplying current is concerned, and turned it over to us. * * *

"Q. That is what it comes down to; you are paying them \$47,000—A. (Interrupting) For their business."

Mr. Smith testified that the Brush Company still owns a building which was originally occupied by it as a generating station, but that it has no mains in the street. He said, however, that the company has "some few old lamps and posts in the street." In regard to the operating agreement with the Edison Company, he testified as follows:

"As Mr. Lieb said, the company's business was gradually disappearing, and they made an operating agreement in 1900 with the Edison Company, whereby it operated the Brush Company's plant which at that time it owned, and which was in existence, and as the business fell off and fell off, the Edison Company could not afford to operate the plant on any such basis as the original agreement provided for, or, in fact, on any basis. Subsequently, I think, in 1904, a new operating agreement was made with the Edison Company, under which they took over the business of the Brush Company. The old plant, machinery, etc., were sold for junk. It had no value other than junk. The cables which were in the ducts, which were old cables, and which were of fibre, insulated, were useless and withdrawn, and they were sold as junk, and the existing operating agreement, of which I think the Commission has a copy, is in vogue now."

As to the value of the agreement, he testified:

"This lease with the Edison Company serves to pay all obligations of the Brush Company and meet its fixed charges. It was gradually losing its business and it had no money to invest in a plant, and it was losing its business to the Edison Company, and, as a matter of fact it was a very advantageous agreement for the Edison Company to make."

It appears, therefore, that the United Electric Light and Power Company holds through merger the property and franchises of the United States Illuminating Company; controls through ownership of the majority of its capital stock the Ball Electrical Illuminating Company, and also through majority stock ownership controls the Brush Electric Illuminating Company of New York, subject to the interests of the Consolidated Gas Company of New York through the ownership by the latter company of the Brush Company's outstanding bonds, and also subject to

the operating agreement with the New York Edison Company, under which the Brush business is carried on by the latter company for an annual rental. Mr. Smith testified that the Brush Company had \$1,000,000 of capital stock and \$250,000 of bonds outstanding. The bonds are all held by the Consolidated Gas Company. The stock of the United Electric Light and Power Company is also held by the Consolidated Gas Company, having been acquired by the latter about 1899.

VI. Existing Rights and Obligations of the United Company.

The United Electric Light and Power Company now owns or controls the following franchises:

- (1) Franchise granted May 3, 1881, to the United States Illuminating Company, and acquired when the United States Illuminating Company was absorbed by merger, June 12, 1902.
- (2) Franchise granted May 3, 1881, to the Brush Electric Illuminating Company of New York. It is controlled by the United Company through stock ownership.
- (3) Franchise granted June 13, 1887, to the Ball Electrical Illuminating Company of New York. The latter is controlled by the ownership of a bare majority of its capital stock by the United Company.
- (4) "Franchise" granted September 20, 1887, by the Board of Electrical Control to the Safety Electric Light and Power Company, the original name under which the United Electric Light and Power Company was incorporated.

It appears, therefore, that the United Electric Light and Power Company owned no valid franchise until June 12, 1902, and that the only franchise under which it is now entitled to operate is the one acquired on that date from the United States Illuminating Company.

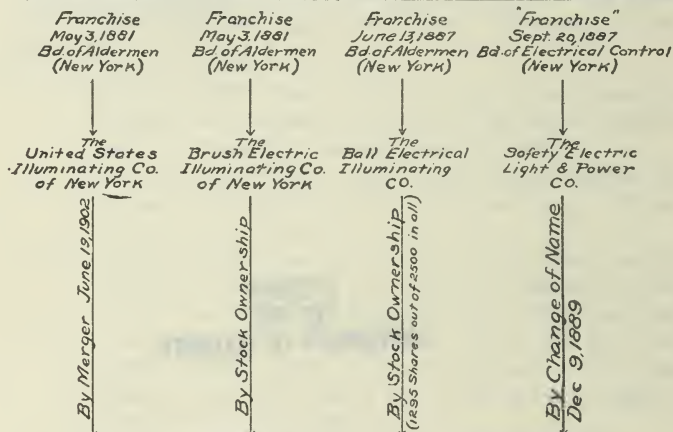
From a table submitted by the company, it appears that in the year 1901, which was the last year prior to the absorption of the United States Illuminating Company, 183 miles of the ducts of the Consolidated Telegraph and Electrical Subway Company were occupied or held under rental by the United Electric Light and Power Company. From this exhibit it would appear that the United States Illuminating Company had, in 1892, held 59 miles of ducts under rental, and that this mileage had gradually diminished until it disappeared entirely in 1900. The Brush Electric Illuminating Company had held 14 miles of ducts in 1892, but its holdings also had gradually diminished until they disappeared entirely in the year 1900. For the year 1908 the United Electric

LIBRARY
OF THE
UNIVERSITY OF ILLINOIS.

FRANCHISES

OWNED OR CONTROLLED BY

UNITED ELECTRIC LIGHT AND POWER CO.



UNITED ELECTRIC LIGHT & POWER CO.
Operates in Manhattan-Incorporated Feb. 4, 1887
Majority of Stock owned by Consolidated Gas Co.

**CONSOLIDATED
GAS COMPANY
OF NEW YORK**
Incorporated Nov. 10, 1884

16

PREPARED
for the
PUBLIC SERVICE COMMISSION
FOR THE FIRST DISTRICT
Delos F. Wiley
Chief-Bureau of Franchises
April 24, 1908

Light and Power Company paid the Consolidated Telegraph and Electrical Subway Company for the use of approximately 281 miles of ducts. Accordingly it appears that while the United Electric Light and Power Company was operating 281 miles of circuits, it had constructed prior to 1902 about 183 miles without any valid franchise. Assuming that none of the old lines had been removed, we should conclude that only 35 per cent of the company's mains in operation in 1909 were laid under valid franchises.

In regard to the scope of this company's franchise, it should be noted that the original grant to the United States Illuminating Company authorized the company to distribute electricity "for purposes of illumination." It appears, therefore, that the right of the United Electric Light and Power Company to supply electrical current for heat and power is dependent upon a liberal construction of its franchise. If the company, however, should secure actual title to the franchises of the Brush and Ball Companies it would have unquestioned right to supply electricity for all purposes, as there was no limitation in either of these franchises of the purposes for which current could be distributed.

Neither the United States franchise, nor the Brush franchise, provides for the furnishing of free lights. Both provide, however, for the payment of one cent per lineal foot of the streets opened by the company, but in practice this company, the same as the New York Edison Company, escapes the necessity of making this payment by reason of the fact that all its wires are in conduits constructed by the subway company. All of the United Company's lines are high tension alternating current lines and are in the high tension subways owned by the Consolidated Telegraph and Electrical Subway Company.

Although the company's franchise and the franchises it controls were granted prior to the annexation of the annexed district to the City of New York the company makes the same claim as the New York Edison Company, namely, that with the annexation of this territory in 1895 the company's rights under its franchises extended automatically to cover the additional area brought into the city.

For a graphical history of the company's franchises the accompanying chart entitled "Franchises owned or controlled by United Electric Light and Power Co.," has been prepared. Table II gives

a condensed summary of the provisions of these franchises and also of the one franchise of the Long Acre Electric Light and Power Company.

TABLE II.
ANALYSIS OF ELECTRIC LIGHT FRANCHISES

HELD BY

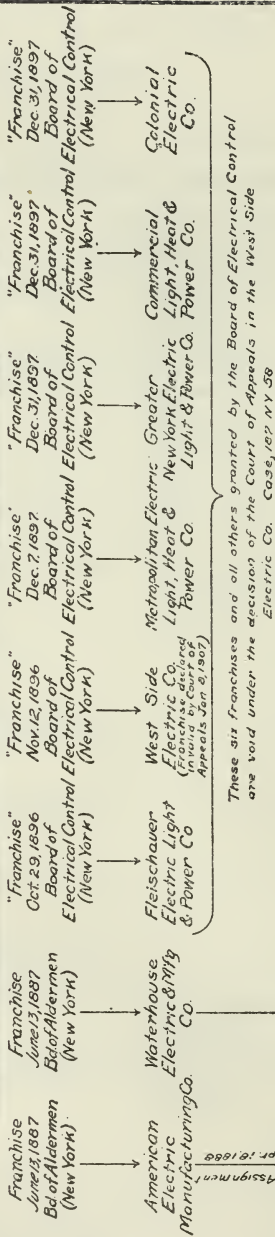
THE UNITED ELECTRIC LIGHT & POWER CO. AND THE LONG ACRE ELECTRIC LIGHT AND POWER CO.*

Territory covered: Manhattan, and The Bronx west of Bronx River.
Area: 26,355 acres; 41.4 square miles. Population in 1910,—2,713,369.

Original grantee.....	United States Illuminating Co. of New York.	Brush Electric Illuminating Co. of New York.	Ball Electrical Illuminating Co.	American Electric Manufacturing Co.
Local authority.....	Board of aldermen..	Board of aldermen..	Board of aldermen..	Board of aldermen.
Date of franchise.....	First passed April 12, 1881. Passed over veto, May 3, 1881.	*First passed April 12, 1881. Passed over veto May 3, 1881.	Passed May 31, 1887.	Passed May 31, 1887.
Action by mayor.....	Vetoed April 19, 1881.	Vetoed April 19, 1881.	Approved June 13, 1887.	Approved June 13, 1887.
Scope of franchise.....	Purposes of illumination.	Electricity.....	Electrical purposes..	Electrical purposes.
Compensation in money	One cent per lineal foot of streets opened for underground work.	One cent per lineal foot of streets opened for underground work.	One cent per lineal foot of streets opened for other than arc lights.	One cent per lineal foot of streets opened for other than arc lights.
Free lighting.....	.....	.....	One street arc light for every fifty arc lights furnished to private consumers.	One street arc light for every fifty arc lights furnished to private consumers.
Right to regulate service reserved.	.....	.....	Right of "reasonable regulations" reserved to Common Council.	Right of "reasonable regulations" reserved to Common Council.
Publicity of accounts....	.....	.....	Sworn statement required of number of private arc lights furnished.	Sworn statement required of number of private arc lights furnished.
Wires.....	.....	.....	Subject to electrical subway commissioners.	Subject to electrical subway commissioners.
Underground construction required.	.....	.....	Subject to Chapter 499, Laws of 1885	Subject to Chapter 499, Laws of 1885.
Excavations in the streets	Sewers, water pipes, gas pipes, etc., not to be damaged.	Sewers, water pipes, gas pipes, etc., not to be damaged.	Subject to electrical subway commissioners.	Subject to electrical subway commissioners.
Right to inspect and supervise street work.	Under direction of Commissioner of Public Works.	Under direction of Commissioner of Public Works.	Reserved to Commissioner of Public Works and Department of Public Parks in their respective jurisdictions.	Reserved to Commissioner of Public Works and Department of Public Parks in their respective jurisdictions.
Grant exclusive.....	.....	.....	No.....	No.
Grantee's "successors or assigns" recognized in franchise.	No.....	No.....	No.....	No.
Number of times franchise has been transferred.	One.....	One.....	One.....	Four.

All these franchises are without time limit.

FRANCHISE OF THE LONG ACRE ELECTRIC LIGHT AND POWER COMPANY AND VARIOUS UNUSED FRANCHISES-MANHATTAN AND BRONX



Fredrick E Townsend

American Electric
Illuminating Co.

Martin Mintum

Long Acre Electric Light & Power Co.
Incorporated April 23, 1903.

By Stock Ownership

Manhattan Transit Co.
Incorporated 1902.

PREPARED
for the
PUBLIC SERVICE COMMISSION
FOR THE FIRST DISTRICT
By DeLoach & Wiley
Chief Bureau of Franchises
April 24, 1908

(1C)

VII. The Long Acre Electric Light and Power Company.

Reference has already been made to an omnibus electric light franchise granted by the Board of Aldermen, May 31, 1887. One of the companies which obtained rights under this franchise was the American Electric Manufacturing Company. This company was incorporated March 28, 1885, under the General Manufacturing Corporations Law of 1848. On April 18, 1888, this company, by Edward H. Goff, president, and H. C. Adams, secretary, transferred its franchise to Frederick E. Townsend, in consideration of the payment of \$1, and on April 19, 1889, Townsend transferred the grant to the American Electric Illuminating Company for the same consideration. This company had been incorporated March 24, 1889, under the General Manufacturing Corporations Law of 1848. One of the three directors of this company for its first year was Frederick E. Townsend. On November 8, 1897, a judgment was issued by the Supreme Court in Queens County against the American Electric Illuminating Company in favor of Francis Dalton, and on November 26, 1897, the court directed the company's receiver to sell its franchises to the highest bidder at public auction. Under this authority, the franchise was sold December 4, 1897, to Martin Minturn for the sum of \$100. Minturn transferred the franchise on March 21, 1906, to the Long Acre Electric Light and Power Company for the sum of \$1 and various other considerations. The various transfers of this franchise are shown graphically on the accompanying chart, entitled "Franchise of the Long Acre Electric Light and Power Company and Various Unused Franchises — Manhattan and The Bronx."

The Long Acre Electric Light and Power Company was incorporated April 23, 1903, under Article VI of the Transportation Corporations Law. It constructed a small plant in the basement of a building owned by the Manhattan Transit Company on Second Avenue near 47th Street, and in 1908 commenced to supply current to a few consumers in the immediate vicinity. According to testimony given on an application before the Commission, the American Electric Illuminating Company prior to 1890 operated a small plant on East 25th Street near Avenue A. It was asserted that operation was carried on at this point for about three years, commencing in the spring of 1887. These assertions have been disputed and the matter is still pending before the Commission.

The Long Acre franchise is identical in its terms and conditions with three of the franchises held by the New York Edison Company and the franchise of the Ball Electrical Illuminating Company. It requires the payment of one cent per lineal foot of streets opened for other than arc lighting circuits and the furnishing free to the city of one street arc light for every 50 arc lights furnished to private consumers. The franchise is without time limit, and covers the same area that is covered by the franchises owned and controlled by the New York Edison Company and the United Electric Light and Power Company. When asked if, in his opinion, this franchise gave the right to supply electric current east of the Bronx River, the company's representative replied that he feared the franchise gave no such authority.

VIII. Franchise of Bronx Gas and Electric Company.

Thus far the franchises considered have related to the Borough of Manhattan and that portion of the Borough of The Bronx located west of the Bronx river,—the City of New York as it was prior to June 6, 1895. In the area east of the Bronx river, franchises were granted by several towns and villages before annexation, of which the town of Westchester covered the largest area. The Bronx Gas and Electric Company is the sole operating company for both gas and electricity in this "town" except that portion of the town included in the limits of the former village of Williamsbridge, where the Westchester Lighting Company operates. A franchise for this district was granted by resolution of the Town Board of Westchester on September 11, 1893, and was also granted on the same date by the Highway Commissioners of the town of Westchester. This franchise authorized the Bronx Gas and Electric Company (incorporated under the Transportation Corporations Law on September 5, 1893) "to lay, erect and construct suitable wires or other conductors with the necessary poles, pipes or other fixtures in, on, over and under the streets, avenues, public parks and places of said town for conducting and distributing electricity in the manner and under the regulations hereby prescribed, to wit: All openings of the streets, avenues, public parks and places shall be made and done at reasonable times and hours, and with as little obstruction to

travel as may be, and shall be as speedily as possible completed, and all lights, lamps, poles, supports, wires, conductors, pipes or other fixtures shall be kept and maintained in good and safe condition, and promptly repaired when necessary." Under the resolution of the Town Board notice for repair might be given by the town or any of its officers; under the resolution adopted by the Commissioners of Highways notice for repairs was to be given by the commissioners. Under both resolutions specific consent was given to the Bronx Gas and Electric Company to exercise all the powers set forth in section 61 of Article VI of the Transportation Corporations Law.

The Bronx Gas and Electric Company continues to be the sole operating company in its territory, with the exception that in the portion of Pelham Bay Park south of the Hutchinson River electric lights are being supplied for the Park Department by the Westchester Lighting Company. In its territory the Bronx Gas and Electric Company is the only company having franchise rights for the supply of electricity, unless it should be held that the franchises of the New York Edison Company and the United Electric Light and Power Company and its subsidiaries were extended to cover the annexed district by virtue of the enlargement of the city's territorial limits in 1895, as claimed by these companies. This claim is not admitted by the Bronx Gas and Electric Company. There seems to be no doubt that the Bronx Company's original franchise, granted by the Town Board and the Commissioners of Highways of the town of Westchester, September 11, 1893, is valid. The analysis of this company's principal franchise will be found with the analysis of the franchises of the Westchester Lighting Company.*

IX. Other Bronx Franchises.

The area within Greater New York now supplied by the Westchester Lighting Company comprises the old village of Williamsbridge in the town of Westchester and the parts of the towns of Eastchester and Pelham which were annexed to New York City in 1895, including the villages of South Mount Vernon (or Wakefield) and Eastchester.

* Table III, p. 264, *post*.

1. *Williamsbridge Franchises*.— On December 23, 1891, the village trustees of the village of Williamsbridge (see introductory map) granted to the Eastchester Electric Company, through A. H. Gerard, agent, authority “to construct, lay and erect in all the streets, avenues, public parks and places of this village suitable wires and other conductors, with the necessary poles, pipes or other fixtures in, on, over and under streets, avenues, public parks and places of this village for conducting and distributing electricity, together with all privileges and rights of way, to erect poles and construct circuits for the establishment and operating of an electric light and power plant in said village of Williamsbridge.” This resolution provided that whenever the condition of the streets and sidewalks was disturbed by the company they should be restored by the company to their original condition, subject to the approval of the Highway Committee, and that all refuse material should be at once removed at the company’s expense. The resolution also provided that “in the event of personal injury to people or property” by reason of the existence, construction or repair of the company’s plant, poles and wires the company alone should be liable for the damage done.

Whatever rights the Eastchester Electric Company may have acquired under this franchise are now held by the Westchester Lighting Company.

2. *South Mount Vernon Franchise*.— The village of South Mount Vernon (see introductory map) was incorporated in 1889 and its name was changed to “Wakefield” in 1894. On November 26, 1892, the Board of Trustees granted permission to the Eastchester Electric Company “to erect poles, string wires and perform all necessary labor to enable said company to furnish current for public and private electric lights for streets, stores, houses, etc., within the limits of the village of South Mount Vernon.” This franchise provided that the price charged for all service rendered by the company should be the same in the limits of the village as that charged in the city of Mount Vernon according to the company’s regular rates. It was also provided that the main line of wire through the village should be on some street west of White Plains Road, to be designated by the Board of Trustees. The company agreed to furnish free of charge four 32-

candle power incandescent electric lights, to be placed on Becker Avenue, one at the railroad station, one at the corner of White Plains Road and the other two between, and to maintain these lamps throughout the life of the franchise. These lights were to be kept burning the full number of hours required for other street lights, and were to be running within 30 days after December 31, 1892.

3. *Eastchester Franchise*.—On May 28, 1895, the Board of Trustees of the village of Eastchester adopted a resolution to the effect “that an exclusive franchise be given to the Eastchester Electric Company to erect poles, string its wires and appliances in this village of Eastchester to supply electricity for lighting and power purposes to this village and the inhabitants thereof for the period of five years.” The franchise was without conditions and the president of the village was authorized and directed “to sign and execute” it on behalf of the village and to “affix the corporate seal thereto.” It should be noted that this franchise was granted on May 28, 1895, just nine days prior to the annexation of the village to the City of New York under chapter 934 of the Laws of 1895, in effect June 6th of that year, and only two months and three days after the village was incorporated.

4. *Pelham Franchises*.—On August 22, 1890, the Commissioners of Highways of the town of Pelham (see introductory map) granted to the Pelham Bay Park Electric Light, Power and Storage Company “the privilege of erecting poles and stringing wires” on the roads and highways of the town, on condition that the company’s plant should be completed for service within a year from the date of the grant. The company agreed to furnish electric light for the use of the town free of charge for a period of three years, to the extent of one 2,000-candle power lamp for each mile of wire strung. The company agreed that after the expiration of the three years the lights furnished to the town were to be charged for at one-half the prices charged private consumers.

On October 9, 1893, the Secretary of the Department of Public Parks of the City of New York issued a permit to the Pelham Bay Park Electric Light, Power and Storage Company in accordance with action taken by the Park Board on August 2

of the same year. This permit authorized the company to erect electric light and telegraph poles in the park along the following route: "Beginning at a point on City Island Road at Pelham Bay, along said road to the Boulevard; thence northerly along said Boulevard to the northern boundary of the City of New York." All work done under the permit was to be done at the expense of the company and under the direction and to the satisfaction of the engineer in charge of new parks. The right was reserved to the Board of Parks or its president to revoke this permit at any time.

On February 6, 1897, another permit was issued which authorized the company "to erect poles and string wires on and along roads of Pelham Bay Park, over the City Island Bridge, along the City Island Road, to Bartow, and thence north and south from the Shore Road, the Pelham Bridge Road, road leading to Pelham and Boulevard, as shown on the map or plan" submitted by the company. The only condition attaching to this permit was that the work of erecting poles should be done at the expense of the company and under the supervision and to the satisfaction of the Department of Parks. The rights and privileges granted by the town franchise and these park permits are now claimed by the Westchester Lighting Company through its stock ownership of the Pelham Bay Park Electric Light, Power and Storage Company and its merger of the Pelham Electric Light and Power Company.

X. Corporate History of the Westchester Lighting Company.

The Eastchester Electric Company was incorporated July 3, 1889, under the General Manufacturing Corporations Law of 1848. This company was merged December 1, 1900, into the Westchester Lighting Company. The Pelham Bay Park Electric Light, Power and Storage Company was incorporated July 23, 1890, under the General Manufacturing Corporations Law of 1848. This company seems to have got into financial trouble within a year or two after its incorporation, and its property was sold at sheriff's sale, in March, 1892, to one Herman Vogel. A copy of the original bill of sale was produced by counsel for the Westchester Lighting Company. This sale did not include

the company's franchise. However, on January 16, 1897, Vogel transferred the property, alleging that it included the franchise, to one Charles W. Smith, who in turn, on January 9, 1900, sold it to the Pelham Electric Light and Power Company, which on December 1, 1900, was merged into the Westchester Lighting Company. It appears from the testimony, however, that all of the capital stock of the Pelham Bay Park Electric Light, Power and Storage Company was acquired by the Pelham Electric Light and Power Company on or about January 16, 1897, and is now held by the Westchester Lighting Company, so that title to the old franchise could be acquired by the present operating company by the process of merger.

The Pelham Electric Light and Power Company was incorporated January 25, 1897, under the Transportation Corporations Law, and was merged into the Westchester Lighting Company December 1, 1900. The Westchester Lighting Company itself was incorporated November 5, 1900, under the Transportation Corporations Law. This company absorbed by merger on December 1, 1900, in addition to the Pelham Electric Light and Power Company and the Eastchester Electric Company, nine other gas and electric companies operating entirely in Westchester County, and on December 1, 1902, it absorbed two additional Westchester companies. Several of the companies merged into the Westchester Lighting Company were themselves the product of preceding mergers and consolidations, so that the Westchester Lighting Company today counts no less than 30 predecessor companies in its family tree. This does not include the Pelham Bay Park Electric Light, Power and Storage Company, which is controlled through stock ownership but which has not yet been merged. Neither does it include the New York and Westchester Lighting Company, which was incorporated July 11, 1904, to furnish the means by which the control of the Westchester Lighting Company could be transferred from the United Gas Improvement Company of Philadelphia to the Consolidated Gas Company of New York. After performing its function incident to this change of ownership, the New York and Westchester Lighting Company was merged into the Westchester Lighting Company, October 20, 1904. Since July 12,

1904, the entire capital stock of the Westchester Lighting Company has been held by the Consolidated Gas Company. The historical development of the Westchester company is shown graphically on the accompanying chart, entitled "Corporate History of the Westchester Lighting Company and the Bronx Gas and Electric Company."

XI. Existing Rights and Obligations of Westchester Lighting Company within Greater New York.

On December 31, 1897, the Board of Electrical Control of the City of New York passed a resolution authorizing the Pelham Electric Light and Power Company "to lay and construct suitable wires or other conductors or subways under streets, avenues, public parks and places in the City of New York for conducting and distributing electricity under the direction of the Board of Electrical Control and its successors." The resolution provided, however, that the right granted to the company should be exercised subject to all the rules and regulations then existing or that might be made thereafter by the Board of Electrical Control or its successor. It was also provided, as in all other "franchises" granted by the Board of Electrical Control that the company should use the subways constructed by the Consolidated Telegraph and Electrical Subway Company for carrying its wires underground. Under the decision of the Court of Appeals in the West Side Electric Company's case, already referred to, this permit never had any validity as a franchise grant. A copy of the permit was filed, however, with the Public Service Commission by the Westchester Lighting Company among its franchise papers.

Independent of any rights which the Westchester Lighting Company may have acquired under permits from the City of New York it now owns and controls the following franchises authorizing the distribution of electricity in districts comprised within the limits of the city:

- (1) Franchise granted by the Highway Commissioners of the town of Pelham, August 22, 1890, to the Pelham Bay Park Electric Light, Power and Storage Company; controlled through stock ownership.
- (2) Franchise granted December 23, 1891, by the Board of Trustees of the village of Williamsbridge to the Eastchester Electric Company; **acquired through merger.**

LIBRARY
OF THE
UNIVERSITY OF ILLINOIS.

1935
1938
1941
1944
1947
1950
1953
1956
1959
1962
1965
1968
1971
1973
1975
1977
1979
1981
1983
1985
1987
1989
1991
1993
1995
1997
1998
1999
1900
1901
1902
1903
1904
1905
1906
1907
1908
1909



- (3) Franchise granted November 26, 1892, by the Board of Trustees of the village of South Mount Vernon to the Eastchester Electric Company; acquired through merger.
- (4) Exclusive franchise granted May 28, 1895, for a period of five years by the Board of Trustees of the village of Eastchester to the Eastchester Electric Company; acquired through merger.

It appears that the company has no franchise covering that part of the old town of Eastchester between the southern boundary line of the former village of Eastchester, the Hutchinson River and the northern boundary line of the old town of Westchester. The company is not supplying any electrical current in this district, however, and there are no people living there, or at least only a very few. The district is made up for the most part of salt meadows.

This company also is without a franchise for any portion of the old town of Westchester except the village of Williamsbridge. The company is supplying, however, certain public lamps in Pelham Bay Park south of the Hutchinson River, and one private consumer just outside of the park. This consumer is the Baychester Station of the New York, New Haven and Hartford Railroad Company. Counsel has stated that this would be discontinued in the near future as the railroad company intends to do its own lighting.

The company has no franchise in its own right for supplying electricity on City Island, which was formerly a portion of the town of Pelham. Inasmuch as there is no gas supply at City Island the right to supply electricity there is of considerable importance. The franchise granted by the town of Pelham to the Pelham Bay Park Electric Light, Power and Storage Company has never been transferred to the Westchester Lighting Company. So far as public lighting in the park is concerned it is probable that the permits of the Park Department and the contracts for supplying the public lights constitute sufficient authorization. Under the Pelham franchise the grantee was required to furnish a certain amount of public lighting free for a period of three years, and after the expiration of that period to furnish public lighting at half the rates charged to private consumers for 2,000-candle power lights. As a matter of fact the Westchester Lighting Company is furnishing lights to the city at the same

rate on City Island as elsewhere under the regular contracts for public lighting. The assistant secretary of the company testified that no arc lights were being supplied by the company to private consumers. Consequently, counsel for the company argued that there was no way of measuring the price to be charged the city under the terms of the Pelham franchise.

In regard to the provision of the South Mount Vernon franchise requiring that the grantee should supply four 32-candle power, incandescent lights free on Becker Avenue, testimony was given that no such lights were now being furnished. The company's counsel presented copies of letters dated June 28, 1899, and June 30, 1899, from S. McCormick, Superintendent of Lamps and Gas, addressed to the Eastchester Electric Company. In the first letter Mr. McCormick inquired as to when the four lamps on Becker Avenue were erected and by what authority. He also asked who was paying for the lighting. In the second letter he informed the company that he did not desire to have the lamps lighted. The company's counsel stated that the answer to McCormick's first letter, which must have been written on June 29, 1899, cannot be found. The records accordingly do not show what explanation the Eastchester Electric Company made in regard to the four lamps.

For the territory included in the former village of Eastchester, the company claims a perpetual franchise, although according to the terms of the resolution of the Board of Village Trustees the company was given an exclusive franchise for the period of five years. The testimony in regard to this point is of special interest as showing the company's claims in regard to the interpretation of franchise provisions (pages 1548 and 1549 of the record):

"Commissioner Maltbie: Perhaps I should ask Mr. Garver how he interprets the five-year exclusive provision in this case.

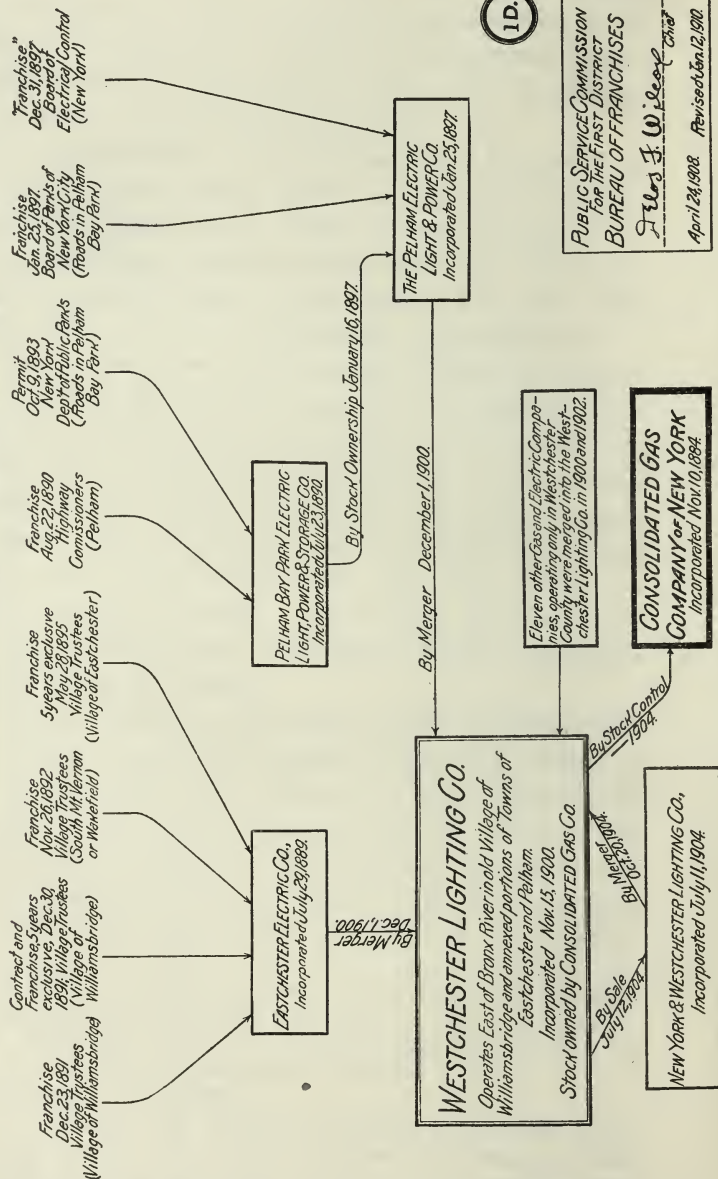
"Mr. Garver: Well, that it gives a monopoly franchise for a term of five years, and that we have an unlimited general franchise.

"Commissioner Maltbie: Thereafter?

"Mr. Garver: Thereafter, and as that was granted in 1895, and as we have been exercising it ever since, I think that that construction has been acquiesced in by the municipal authorities. In other words, even if it were assumed that the franchise expired in 1900, we have acquired a franchise by the consent of the municipal authorities since that time."

ELECTRIC LIGHT FRANCHISES IN THE CITY OF NEW YORK

OWNED OR CONTROLLED BY THE WESTCHESTER LIGHTING COMPANY



1D.

PUBLIC SERVICE COMMISSION
FOR THE FIRST DISTRICT
BUREAU OF FRANCHISES
J. W. Kelly
April 24, 1908. Revised Jan. 12, 1910.

Table III gives an analysis of the electric light franchises held by the Bronx Gas and Electric Company and the Westchester Lighting Company for districts within the limits of Greater New York. The chain of title of the electric franchises of the Westchester company within the city is shown graphically on the accompanying chart entitled "Electric Light Franchises in the City of New York Owned or Controlled by the Westchester Lighting Company."

Poles and wires.....	.....	Main circuit..... poles to be thirty feet long and five inches through at top; straight and smooth.	Main line through the village to west of White Plains road, to be designated by village trus- tees.	.....	.....	.....	Town authori- ties may re- quire fix- tures to be repaired, up- on notice.
Excavations in the streets and right of inspection and super- vision.	.....	The streets and sidewalks dis- turbed must be restored to original con- dition, subject to approval of Highway Com- mittee.	Holes open no longer than necessary, and properly pro- tected; road- way to be re- placed in good condition and surplus mater- ial removed.	.....	Under direc- tion of engi- neer in charge of new parks.	Under super- vision of the Board of Parks.	To be made at reason- able times with least possible ob- struction and work speedily completed.
Filing of maps required.	.....	.....	Maps to be fur- nished.	.....	.....	Must notify superintend- ent of Parks of date and location of beginning of work.	.....
Responsibility for dam- ages arising out of exercise of franchise.	.....	In event of per- sonal injury to people or prop- erty, company to be solely re- sponsible.	.....	.....	.....	.....	.....
Grant exclusive.....	.....	Yes.....	Yes.....	Yes.....	Yes.....	.....	.....
Grantee's "successors or assigns" recog- nized in franchise.	No.....	No.....	Yes.....	No.....	No.....	No.....	No.
Number of times fran- chise has been trans- ferred.	None; controlled through stock ownership.	Three.....	Three.....	Three.....	Three.....	Three.....	None.

* This grant was in the form of a contract executed by the parties primarily for public lighting.

XII. Franchises Granted by the Former City of Brooklyn.

1. *Combination Franchise of 1884.*—By resolution of the Brooklyn Common Council, passed May 12, 1884, and approved by the Mayor May 19th, an electric light franchise for Wards 13 to 19 inclusive, of the city of Brooklyn as it then existed, was granted to Charles Cooper & Company and a franchise "in the remaining wards of the city of Brooklyn" was granted to Pope, Sewall & Company. Under this combination franchise the grantees, their successors and assigns were authorized "to establish and maintain systems of electric lighting, for public and private use," and "to erect poles or their equivalents in the streets, avenues, lanes, alleys, and public places" of the part of the city covered by the franchise, "for the purpose of attaching electric wires and appliances thereto and furnishing to the public electric lights." It was stipulated that nothing in the grant should prevent the proper authorities from giving other parties similar rights and privileges. The franchise was granted subject to the following conditions:

First. The grantees were to commence operations within ten days.

Second. The grantees were to erect and maintain for the city four free electric arc lights of 2,000-candle power each, to be kept burning all night, and in addition one free electric light for every 50 lights furnished to private subscribers. In a parenthetical clause it was further provided that as long as the grantees should enjoy an exclusive franchise for furnishing electric light in their district, they should furnish the city one free light for every 30 lights furnished to private subscribers. The free lights were to be of the same character and power as those furnished to private customers.

Third. For additional lights furnished to the city the price was not to exceed 70 cents per night for each 2,000-candle-power arc light or 15 cents per night for each 16-candle-power incandescent light. All lights furnished the city were to burn all night. The maximum price for lights furnished to private subscribers was to be 75 cents per night for each 2,000-candle-power light and 15 cents for each 16-candle-power incandescent light, and the service to private subscribers, instead of being all-night service, was to extend from dark till midnight.

Fourth. The grantees were required to submit to the rules and regulations of the Department of City Works in the performance of all work done by them in the streets in connection with the erection and operation of their electric system, and were also to be subject to "such reasonable prudential regulations" as the Common Council might from time to time ordain.

Fifth. The grantees were to permit the electric wires of the fire and police departments of the city to be run upon their poles without charge.

Other clauses related to bonds and height of wires above the streets.

The franchise to Charles Cooper & Company included Wards 13 to 19 as they existed in 1884. In 1892 Wards 27 and 28 were created out of Ward 18, so that this franchise covers that part of the Borough of Brooklyn now known as Wards 13 to 19 and 27 and 28. This is the Williamsburg and Bushwick district, with the addition of Ward 19, which is adjacent to Williamsburg. The franchise to Pope, Sewall & Company at the time of its grant in 1884 covered the territory then and now included in Wards 1 to 12 and 20 to 25. The franchise was granted prior to the annexation of the town of New Lots to the city of Brooklyn, constituting Ward 26, and the towns of Flatbush, Gravesend, New Utrecht and Flatlands, constituting Wards 29 to 32.

2. *Edison Franchise, 1888.*—By resolution of the Common Council, October 29, 1888, approved by the Mayor November 3d, a franchise was granted to the Edison Electric Illuminating Company of Brooklyn. Under this franchise authority was given to the company, its successors and assigns "to open the streets, avenues, lanes, highways and public places in the city of Brooklyn, and to lay and maintain therein tubes, conduits, wires, conductors, cables, insulators and all necessary appliances for the business and purpose of conveying, using and supplying electricity or electrical currents for purposes of illumination and power." This grant, however, was to be exercised subject to rules and regulations prescribed by the Department of City Works with relation to all work performed under the franchise in the streets and public places of the city, both in constructing and in maintaining and operating the company's electric system. The grant was to be exercised also subject to "such reasonable and prudential

regulations" as the Common Council might from time to time ordain. The following conditions were particularly specified in the grant:

First. The company was to commence operations within 60 days from the time of the grant;

Second. The company was to permit the electric wires of the fire and police departments of the city to run through its conduits without charge;

Third. The company was required to erect and maintain for the city, free of charge, four electric arc lights of 2,000-candle-power each, or furnish their equivalent in electric current for incandescent lighting at the option of the city, and in addition was to furnish the city free of charge one arc light for every 50 arc lights furnished to private subscribers, and one incandescent light for every 30 customers of the company using incandescent lights. Lights furnished the city were to be of the same character and power as those furnished to private subscribers, and were to be erected or furnished at such places upon the circuits operated by the company as the Department of City Works might direct. In addition to the free lights the city was to be furnished arc lights of 2,000 candle power at a price not to exceed 70 cents per night, and incandescent lights of 16 candle power at a price not to exceed 15 cents per night, with a corresponding reduction in the case of incandescent lights burning less than all night. All free lights furnished the city were to burn all night, excepting incandescent lights used within doors, which were to burn the average number of hours of service to private subscribers. Lights furnished to private consumers were to be at a price not to exceed 75 cents per night, between dark and midnight, for each 2,000-candle-power arc light, and 15 cents for each 16-candle-power incandescent light.

Fourth. Work in the streets done by the company was to be done according to the directions of the Department of City Works, and under such conditions as to prevent damage to sewers, water pipes, gas pipes or other pipes. Whenever the Commissioner of City Works determined that it would be for the best interests of the city to have all excavations and removals and replacements of pavements or sidewalks in the streets done by his department the work was to be done by the city and the expense of it paid by the company upon requisition of the commissioner.

Fifth. The fulfillment of the conditions just described was to be "subject to the scientific and mechanical practicability thereof," and "the enforcement of the said conditions, if any, that cannot from scientific or mechanical causes be immediately complied with, is to be deferred until such time as the practicability thereof is demonstrated in other cities."

When this franchise was granted in 1888 the city of Brooklyn included only that portion of the present Borough of Brooklyn within the limits of the first 28 wards.

3. *Kings County Franchise, 1894.*—By resolution of the Common Council, June 11, 1894, which, being neither approved nor disapproved by the Mayor, went into effect June 23, 1894, a franchise was granted to the Kings County Electric Light and Power Company, its successors and assigns, "to construct, maintain and operate a plant or plants for building conduits, generating and supplying electricity for power, heat and light, with the privilege of disposing and supplying the same for public or private use;" and "to establish and maintain systems for electric lighting, heat and power in and throughout the city of Brooklyn." The conditions upon which this franchise was granted were the following:

First. The company agreed to place its wires under ground, except as otherwise permitted by the Subway Commission.

Second. The position of the conduits in the streets was to be determined by the Commissioner of the Department of City Works, and when once placed the conduits could not be changed except with the commissioner's consent.

Third. The company was required to file with the Commissioner of the Department of City Works on or before January 10th each year an accurate map "showing the position of all conduits and wires laid by said company, their branches and detours, and all extensions wherever made up to the 1st day of January." The company was also to restore the streets disturbed by it, and maintain the places so restored in good repair for the period of one year.

Fourth. The Commissioner of City Works was to appoint inspectors to supervise the work of the company so far as it related to the opening or repaving of the streets, and the cost of this in-

spection and supervision was to be paid monthly by the company into the City Treasury, the amount of the payments to be determined by the Commissioner of City Works.

Fifth. The company agreed to pay the city the sum of \$500 within 30 days after the franchise was approved, and a like sum on the 1st day of January, 1895, and every year thereafter.

Sixth. In addition, beginning with January 1, 1895, and every six months thereafter, the company was to pay into the City Treasury "1 per cent of its gross receipts or revenues derived from whatsoever source for the six months preceding." For the purpose of determining such receipts all books and papers of the company were to be open for inspection and examination by the city authorities.

Seventh. The company agreed to supply to the city wherever its conduits or lines extended, arc lights "of 1200 candle power as estimated according to the present methods at a price not exceeding 40 cents per day or such part of a day as may be required for lighting."

Eighth. Unless at least one mile of conduits was constructed for each twelve months during the period of four successive years, commencing July 1, 1894, it was provided "that the privileges of this franchise for the purpose of building conduits and extending its wires shall cease, and no further permission for constructing conduits or laying wires through any of the streets, avenues, roads, lanes or public highways of said city shall be permitted."

Ninth. The company was required before opening any street or public place to furnish the city with a bond approved by the Mayor for a reasonable amount to guarantee the faithful performance of the conditions of the franchise and to indemnify the city against any damages resulting from the company's negligence in construction or operation.

Tenth. The last condition of the franchise was "that in case of failure to comply with any condition or provision of this resolution then the privileges, rights and franchises hereby granted shall cease and determine, and said company shall thereafter no longer have the right or power to operate its wires throughout the said city."

On June 23, 1894, the date when this franchise went into effect, the city of Brooklyn included all of the present Borough of

Brooklyn except Wards 30 and 32, which at that time were the towns of New Utrecht and Flatlands, respectively. Acts had already been passed annexing these towns to the city, but the law annexing New Utrecht did not take effect until July 1, 1894, eight days after this franchise became effective, and the annexation of Flatlands did not become effective until January 1, 1896.

4. *State Franchise*, 1896.—In December, 1891, the State Electric Light and Power Company of the State of New York applied to the Brooklyn Common Council for an electric lighting franchise. After long delay and litigation the application was denied on October 30, 1893. In February, 1894, however, the company presented a new petition and on June 11, 1894, the Common Council passed a resolution granting the company a franchise for the construction, maintenance and operation of a plant for the generation and distribution of electricity, and authorizing it to place its wires underground in any of the streets of the city. This resolution was neither signed nor vetoed by the Mayor and apparently went into effect on June 26, 1894. Thereafter the company's time for the construction of its system of conduits was once extended, and upon an application for a further extension of time in July, 1895, a dispute arose upon the question as to whether or not the company's franchise had already expired by limitation. In order to remove the doubt the company made a further application to the council in October, 1895, and on October 28 of that year resolutions were adopted by the council rescinding the old franchise and granting the company a new one. This new franchise having been vetoed by the Mayor and passed over his veto on December 30, 1895, went into effect on January 7, 1896. By this franchise the State Company was authorized "to construct, maintain and operate a plant or plants, for generating electricity for light, heat or power, and for that purpose to build or construct conduits, in any of the streets, roads, avenues, lanes or public highways of the city, in which to place tubes, wires, conductors, cables, insulators, and any necessary appliances for the business proposed, to wit: The lighting by electricity buildings, public or private, the streets of the city, and for such other purposes as shall be connected with or necessary to the successful conduct of the business proposed by the company." It was required, how-

ever, that all wires should be placed underground except as otherwise permitted by the Electrical Subway Commission. The other conditions upon which this franchise was granted were the following:

First. The position and depth of the wires in the public streets was to be determined by the Commissioner of City Works, and when once laid the position of the wires could not be changed without the consent of the Common Council.

Second. The company was to file with the Commissioner of City Works on or before January 10th and July 10th of each year, an accurate map showing the position of all its wires, their branches and extensions up to the first day of the month. The company was also to restore the streets and keep them in good repair for the term of one year wherever opened for the laying of wires.

Third. The Commissioner of City Works was to appoint inspectors to supervise the company's street work, and the cost of the inspection was to be paid by the company to the commissioner.

Fourth. The company was required to pay to the city, on December 31, 1895, and every year thereafter, \$500.

Fifth. On January 1, 1896, and every six months thereafter the company was to pay 1 per cent of its gross receipts for the previous six months, and for the purpose of determining the amount of such receipts the books of the company were to be opened for examination by the city authorities.

Sixth. Unless the company, commencing July 1, 1896, and during each succeeding period of twelve months for the next four years, constructed one mile of underground conduits for the purpose of carrying out the provisions of the franchise, "its rights for further extension of conduits in any of the streets or avenues" would cease and determine.

Seventh. The company agreed to furnish to the city wherever the conduits or lines extended "arc lights of 1,200 candle power as estimated according to the present methods, at a price not exceeding 30 cents per day or such part of a day as may be required for lighting."

Eighth. The company was required to execute a bond in the penal sum of \$25,000, with sureties to be approved by the mayor,

to indemnify the city from any cause of action resulting from negligence in the construction or operation of the company's lines, and to guarantee that the company would faithfully carry out the objects proposed in the franchise resolution.

Ninth. In case the company failed to comply with the provisions of the grant, then all its privileges, rights and franchises granted by the resolution would cease and determine, and the company would thereafter "no longer have the right or power to operate its wires throughout the city of Brooklyn."

In vetoing this resolution on November 9, 1895, Mayor Charles A. Schieren referred to the earlier grant of June 11, 1894, to the same company.

"That consent," said the Mayor, "required that the wires should be underground in any of the streets or public highways of the city and that by the 1st of January, 1895, and during each six months thereafter, two miles of conduits should have been constructed, or else that the franchise granted should cease and determine, and that the company, before beginning any construction in any of the streets, should furnish a bond to the city with sufficient sureties to be approved by the Mayor for such reasonable amount as might be required by the Mayor, conditioned for the faithful carrying out of the objects of the resolution and for indemnifying the city from any damages by reason of any negligence of the company in its construction or operation. By the 1st of January, 1895, no conduits whatever had been constructed and no bond given. It is understood that an extension of time was given by your Honorable Body to the company until July last. By that time, however, no conduits had been laid and no bond had been given. * * *"

The Mayor then proceeded to show how many extensions of time had been granted without effect. He continued:

"It is manifest that if there was justification in view of the history of the matter which I have cited for granting this new franchise at all, its terms should have been at least as favorable to the city as those of the franchise of June 11, 1894, sought to be replaced by it, and, indeed so much more favorable to the city as changed conditions and further experience in such matters had shown to be proper. On the contrary, we find that the new franchise in material respects is less favorable to the city, and is wanting in many of the safeguards and protections which the city is entitled to in such a matter. Among other features I may mention that, instead of the new franchise requiring that all the wires should be placed underground, permission for overhead construction is wherever permitted by the Subway Commission.

"The plain policy of the law and the plain interest of the public requires underground construction, and such policy has been rigidly enforced by the administration against the existing companies.

"The new franchise does not sufficiently subject the control of the work to the Department of City Works and its regulations. In view of the considerable disturbances of the surface of the streets under the innumerable franchises already outstanding and the gross public inconvenience therefrom resulting, any new project involving the same sort of disturbance should be subjected most completely to the City Works Department for instance, as to the seasons of the year when the surface of the streets ought not to be disturbed at all, or as to the length of a particular street which at any one time should be affected. The company should be required, at its own expense to keep and maintain in good repair the pavements of the streets which have been opened for the laying of its wires, not for one year only, as provided for in the resolution in question, but always. While the former franchise required the construction within each period of six months of two miles of conduits, the resolutions under consideration seem to require the construction of one mile only per year during the period of four years succeeding July 1, 1896. While the franchise of June 11, 1894, left the amount of the indemnity to the city to the judgment of the Mayor, the resolution now in question restricts it to \$25,000.

"In other respects, also, the present proposed franchise is wanting in the provisions which I think such a franchise should contain for the protection of public interests. For instance, there is no provision for accommodating the city's wires in its conduits. The history of this company, which is partially recited above, casts some doubt upon the question whether it has been of competent means to execute the franchise which it has sought. While competition is in the public interest to be encouraged, it is manifestly against the public interest and that interest has severely suffered from the creation of franchises not backed up by substantial means and real business purposes. In view of the past, the obligation is strongly upon this company to make clear its means and purposes and to suffer in its franchise all the reasonable restraints and safeguards in its constructions and operations which the public interests may require."

On December 9, 1895, an attempt was made to pass the resolution over the Mayor's veto, but the motion was withdrawn. On December 30th, however, the franchise passed by a vote of 13 to 5. It is claimed that, under a provision of the Brooklyn charter applicable in such circumstances, the franchise went into effect January 7, 1896. In the meantime, on January 1, 1896, the law annexing Flatlands, the last of the outlying towns in Kings County, to the city of Brooklyn, went into effect. If the franchise is taken as covering the area included within the city limits on the date when the resolution was passed over the Mayor's veto it applied to all of the present Borough of Brooklyn except Ward 32. If, on the other hand, the franchise is taken as covering the entire city as it existed on January 7, 1896, it would include the entire present Borough of Brooklyn.

XIII. Corporate History of Brooklyn Companies.

The Citizens Electric Illuminating Company of Brooklyn was incorporated December 13, 1883, under the General Manufacturing Corporations Law of 1848. Among the incorporators and first trustees of the company appear the names of Charles H. Sewall and Henry W. Pope, who were presumably members of the firm of Pope, Sewall & Company, to which the city of Brooklyn granted a franchise in 1884 (see No. 1 above). The Citizens Company was merged into the Edison Electric Illuminating Company of Brooklyn by an agreement dated October 30, 1899, stock control having been acquired by the Edison Company about July 1, 1895.

The Municipal Electric Light Company was incorporated August 2, 1884, under the General Manufacturing Corporations Law of 1848. Among the incorporators of this company appears the name of Charles Cooper, who presumably was head of the firm of Charles Cooper & Company to which the city of Brooklyn granted a franchise in 1884. The Municipal Company was merged with the Edison Electric Illuminating Company of Brooklyn by an agreement dated October 30, 1899, stock control having been acquired by the Edison Company about October 31, 1898. In an account of the development of the electric lighting business in Brooklyn, published in the "Consolidation Number" of the Brooklyn Daily Eagle January 1, 1898, it is related that Charles Cooper organized the Municipal Electric Light Company and became known as "Sudden Rich Cooper" on account of the profits he made from the sale of his electric light interests.

The Edison Electric Illuminating Company of Brooklyn was incorporated March 9, 1887, also under the General Manufacturing Corporations Law of 1848. Its purposes as stated in its certificate of incorporation were "to manufacture, use and sell electricity and electrical and mechanical apparatus in the city of Brooklyn for producing light, heat or power." On September 20, 1898, stock ownership of this company passed to the Kings County Electric Light and Power Company. The Edison Company continued to operate, however, and on October 30, 1899, took a lease of the property and franchises of the Kings County Company for a period of 38 years. On the same date the Edison Com-

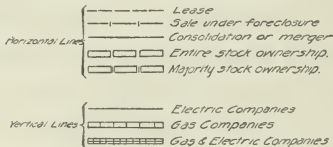
pany absorbed by merger the Municipal Electric Light Company and the Citizens Electric Illuminating Company of Brooklyn. On April 4, 1900, the company also absorbed by merger the Bergen Beach Light and Power Company. In 1899 the company also obtained control through stock ownership of the Amsterdam Electric Light, Heat and Power Company. It also obtained a portion of the stock of the State Electric Light and Power Company.

The Kings County Electric Light and Power Company was incorporated June 26, 1890, under the General Manufacturing Corporations Law of 1848, for the purpose of "manufacturing, buying, vending, leasing and operating apparatus and machinery for the generation of electricity and manufacturing, supplying, vending and leasing electric light, heat and power." On October 30, 1899, the company leased "all and singular the station, plant, property, rights, privileges and franchises" then owned or thereafter to be acquired by it to the Edison Electric Illuminating Company of Brooklyn, for a period of 38 years from September 30, 1899. About one year previous to the date of this lease the Kings County Company had acquired ownership of the stock of the Edison Company, so that the relation between these companies since 1899 has been that of master and servant. The Kings County Company having withdrawn from active operation, it contented itself with receiving the profits earned by the Edison Company, which has done all the work.

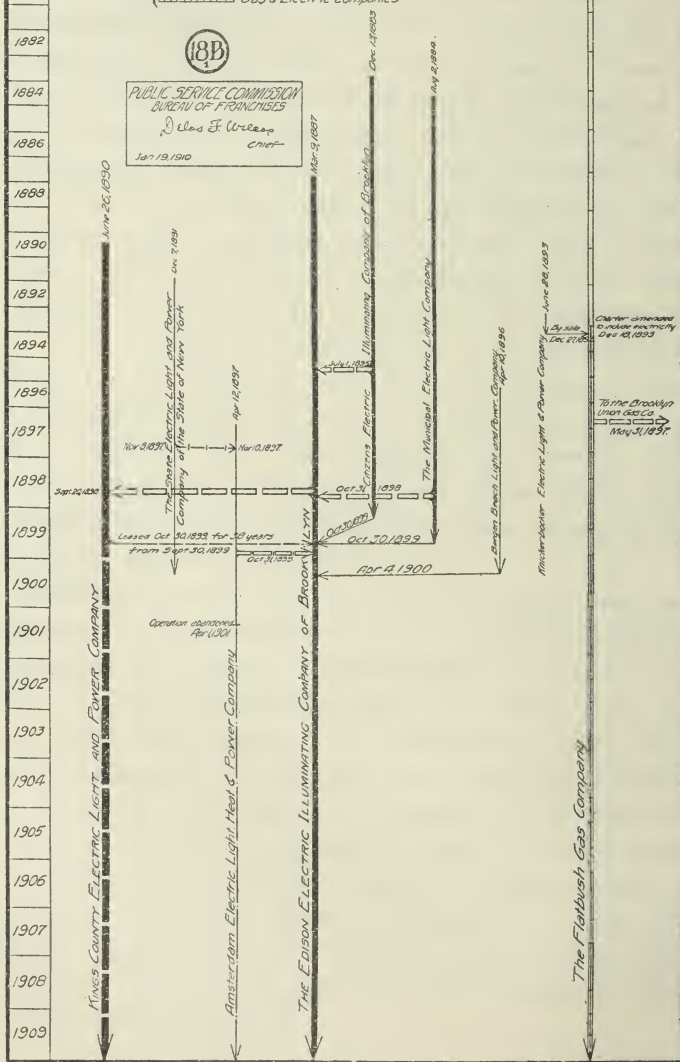
The State Electric Light and Power Company was incorporated December 7, 1891, under Article VI of the Transportation Corporations Law. By decree of the Supreme Court, issued October 12, 1897, Norman J. Marsh was appointed referee in an action pending against this company. On November 8, 1897, the property and franchises of this company were struck off at public auction by the referee to P. Chauncey Anderson for the sum of \$35,000. Anderson thereafter transferred his bid to the Amsterdam Electric Light, Heat and Power Company, which received a deed of the property from the referee on November 10, 1897. The State Electric Light and Power Company seems never to have engaged in active operation, although it received a franchise from the city in effect January 7, 1896.

Nov. 2, 1964

Dates at the head of vertical lines are dates of incorporation.



PUBLIC SERVICE COMMISSION
BUREAU OF FRANCHISES
Delos F. Wiley
Chief
Jan 19, 1910



The Amsterdam Electric Light, Heat and Power Company was incorporated April 12, 1897, under Article VI of the Transportation Corporations Law. Control of this company was acquired October 31, 1899, by the Edison Electric Illuminating Company of Brooklyn, which paid \$404,500 in its 4 per cent bonds for a controlling interest in the Amsterdam Company. At that time the Amsterdam Company had something over one mile of ducts, and had been operating for some time on a limited scale and at a loss. The company ceased to operate about April 1, 1901. The Brooklyn Edison Company now holds all the bonds of the Amsterdam Company and a considerable portion of the stock.

The Bergen Beach Light and Power Company was incorporated April 10, 1896. It never received any public franchise, but operated on private property at Bergen Beach. On April 4, 1900, it was merged into the Edison Electric Illuminating Company of Brooklyn.

A graphic representation of the relations between various electric light companies in Brooklyn from a historical standpoint is shown by the accompanying chart. This chart includes not only the companies in the Brooklyn Edison system, but also the Flatbush Gas Company, whose history and franchises will be described in a succeeding section.

XIV. Existing Rights and Obligations of the Brooklyn Edison Company.

The Brooklyn Edison Company now claims to own or control the following franchises:

- (1) Franchise approved by the Mayor May 19, 1884, to Charles Cooper & Company for the Williamsburg and Bushwick district, covering the territory now included in Wards 13 to 19 and 27 and 28. This franchise was acquired by merger of the company to which the original grantees are alleged to have transferred it.
- (2) Franchise under same date to Pope, Sewall & Company for "the remaining wards" of the city of Brooklyn, which included at the time of the grant all that portion of the present Borough of Brooklyn comprised in Wards 1 to 12 and 20 to 25. This franchise was acquired by merger of the company to which the original grantees are alleged to have transferred it.
- (3) Franchise approved by the Mayor November 3, 1888, to the Edison Electric Illuminating Company of Brooklyn for the entire city, which at that time comprised the territory now included in the first 28 wards of Brooklyn.

- (4) Franchise passed June 11, 1894, and in effect without the Mayor's approval or disapproval June 23, 1894, to the Kings County Electric Light and Power Company for the entire city, which at that time included the territory now comprised in Wards 1 to 29 and 31 of the Borough of Brooklyn. This franchise is held under lease from the original grantee.
- (5) Franchise originally passed October 28, 1895, vetoed by the Mayor, passed over his veto on December 30, 1895, and in effect January 7, 1896, to the State Electric Light and Power Company. Control of this franchise is claimed through ownership of the controlling interest in the stock of the Amsterdam Electric Light, Heat and Power Company, to which the franchise was transferred in 1897 by the original grantee.
- (6) Private grant of March, 1896, by Percy G. Williams and Thomas Adams, Jr., to Rossiter, MacGovern and Company for the distribution of electricity for light and power on private property at Bergen Beach. This grant was transferred in 1897 to the Bergen Beach Light and Power Company, and the latter on April 4, 1900, was merged into the Edison Company.

The Edison Company reports that it has been unable to find in its records any instruments transferring the franchises originally granted May 19, 1894, from Charles Cooper & Company and Pope, Sewall & Company to the Municipal Electric Light Company and the Citizens Electric Illuminating Company of Brooklyn, respectively. There is no question, however, that the latter companies operated for several years under these franchises, and that whatever rights they obtained in them were acquired by the Edison Electric Illuminating Company of Brooklyn by merger in 1899. The ownership of these franchises is considered important by the Edison Company for the reason that they specifically authorize the grantees to maintain poles and overhead lines, while the later franchises owned or controlled by the Edison Company seem to contemplate underground construction exclusively.

The company's interpretation of the geographical application of the two franchises is that the Cooper franchise was limited to the specific area included within the wards mentioned in the grant, while the Pope, Sewall & Company franchise extended automatically with the growth of the city to include all the additional wards which have been taken in since the date of the grant.

The Kings County electric franchise, in effect June 23, 1894, was used to a limited extent by the original grantee prior to the time when the Kings County Company got control of the Edison Company, and leased its property and franchises to the Edison Company for operating purposes. Under the terms of this lease the Edison Company was to use its net annual profits from the operation of its own property and of the leased property as follows:

First, It was to pay coupons and interest on the purchase money 6 per cent bonds of the Kings County Company;

Second, It was to pay coupons and interest on the Kings County First Mortgage bonds;

Third, It was to pay all taxes, assessments, etc., levied against the Kings County property, such payments, however, to be "deemed to be charges to be deducted by the Edison Company before arriving at net profits."

Fourth, After the payment in full of the obligations just enumerated, the Edison Company was to turn over to the Kings County Company the remainder of such net profits as would otherwise be applicable to dividends on the Edison stock.

The Edison Company's control of the State Electric franchise is indirect. The franchises and property of the State Company having been sold to the Amsterdam Electric Light, Heat and Power Company, which in turn is controlled through the ownership of its bonds and a majority of its stock by the Edison Company, it is, of course, impossible for the Edison Company to operate under this franchise. It could not do so unless it were to merge the Amsterdam Company or secure through some other means direct ownership of the franchise.

The two franchises granted in 1884 authorized the grantees to "establish and maintain systems of electric lighting for public and private use." It is to be noted that, under the franchises of 1884 and 1888, the grantees in each case were required to supply to the city four 2,000-candle-power arc lights free. Under the 1884 franchises the grantees were to furnish one electric light for every 50 furnished to private subscribers, and under the 1888 franchise the company was to furnish one arc light for every 50 furnished to private consumers, and one incandescent

light for every 30 consumers. When questioned in regard to these provisions, Mr. Freeman, Second Vice-President of the Edison Company, testified as follows (pages 1781-3):

"We are now furnishing the full measure of free lights as required under all of the franchises. * * *"

"Q. How many 2,000-candle-power arc lamps are you supplying free now?"
A. In the neighborhood of 100.

"Q. And that I suppose is made up of the three times four, which are twelve, plus one for every 50? A. Yes.

"Q. That is the way it is computed? A. Yes, for every 50 arc lights furnished to commercial consumers, and we are also furnishing the required quota of incandescent lighting as called for. I may say here, so that the matter may go on record, an issue has arisen in connection with that proportion of arc lighting. The provision for the incandescent lighting is clear, that the incandescent service furnished the city shall be of the same character as the incandescent lighting furnished to private consumers and shall be furnished for the corresponding hours of service of private consumers taking service. The provision for the arc lighting says one arc light in 50, but all free arc lights shall burn all night. Under existing conditions that is a very unreasonable provision, and our contention has always been that, under the spirit of the franchise, whatever arc lighting we furnished to the city shall be furnished for the proportionate hours of use that consumers use their arc lights. * * * The city, however, has taken the position that, whatever the merits of the case may be, the letter of the franchise provides for an all-night light to be furnished in proportion one to each 50, and the Commissioner of Water Supply, Gas and Electricity under that interpretation is deducting from our city lighting bills a sufficient number of arc lights to correspond to that interpretation of the franchise. We are contesting that, as a matter of equity, and when the matter has been decided in the courts, the city or we will have to comply with whatever the ruling of the court is; but in the meantime, and for a considerable time past, the city has been getting the maximum interpretation subject to our ability to get part of it back. I think that may be of interest while you are looking into the franchise situation, to know everything that is involved."

Further on, Mr. Freeman testified as follows (page 1778):

"Q. Do you consider that those franchises give you the right to furnish electricity for all purposes? A. They were so construed by both the Citizens and the Municipal Companies before we acquired ownership in those companies, and there has never been any contest in the matter. * * * I believe all other franchises specify the other features of the service, and undoubtedly the reason is that at the time of the granting of these earlier franchises the electric lighting business was confined to lighting service; it was not known at that time that electricity was available for power purposes or for heating purposes, and lighting was specified as the only feature of the service that was then understood. The other features are to-day recognized as an essential part of an electric lighting company, and would come as natural accessories."

There were provisions in the Kings County franchise and the State Electric franchise for payments of \$500 a year and 1 per cent of the grantees' gross receipts to the city. Mr. Freeman testified that the \$500 payments in the case of each franchise have been regularly made, and also that the gross receipts taxes have been paid. He said, however, that the income of the Amsterdam Company, which now owns the State Electric franchise, was very small. On the other hand, the gross income of the Kings County Company was very considerable. He said that the gross receipts of the latter company were figured as including "every item of revenue that the Kings County Company receives." When questioned in regard to dividends on the Edison stock held by the Kings County Company, he said that, if such dividends were received, they would be included in the company's gross receipts, but that as a matter of fact the Edison Company's stock does not pay dividends. It is to be noted from the description already given of the lease between the Kings County Company and the Edison Company that provision is made for the payment of all the fixed charges of the Kings County Company directly by the Edison Company, and for the transfer of the Edison Company's remaining net profits directly to the Kings County Company, instead of these profits being used for dividends on the Edison stock. As a result of this agreement all the taxes and interest charges are paid for the Kings County Company before it has any "gross receipts." In the calendar year 1908 the net profits turned over by the Edison Company to the Kings County Company, and constituting the latter company's "gross receipts" upon which it paid the 1 per cent tax under the terms of its franchise, amounted to \$777,532.65; while the interest on its bonds paid by the Edison Company amounted to \$435,560. The amount of taxes, assessments, etc., paid by the Edison Company on the Kings County Company's account cannot be ascertained, for the special franchises of the two companies are lumped together in the assessments. It remains clear, however, that by means of its arrangement with the Edison Company, under the terms of its lease the Kings County Company does not pay the 1 per cent tax on a sum equal to its \$435,560 interest charges plus the amount of its taxes and assessments.

The electric franchises granted to the Kings County Electric Light and Power Company and to the State Electric Light and Power Company each required that the grantee should construct at least one mile of conduits a year for four consecutive years, the former under penalty of a forfeiture of the grant. Mr. Freeman testified that the requirements had been complied with. No maps were furnished showing the amount of conduits laid under the two franchises and the dates on which such conduits were constructed.

There is an interesting question as to the rights of the company derived from the Bergen Beach Light and Power Company, which never had any public franchises. It appears that all the streets at Bergen Beach are privately owned, and that the Bergen Beach Light and Power Company acquired its rights to operate there from an agreement with the property owners. Copies of the original agreement between the owners of the property and Rossiter, MacGovern and Company, dated March 7, 1896, and of another agreement by which this one was transferred to the Bergen Beach Light and Power Company, were furnished by the Edison Company and are now on file with the Bureau of Franchises. The original agreement was in part as follows:

"The parties of the first part [the property owners] do hereby give and grant to the parties of the second part the *exclusive and perpetual* right and privilege:

"*First*, of lighting by electricity the premises or property situated at Bergen Beach, in the city of Brooklyn, county of Kings, particularly as follows:

"Blocks number 39, 48, 62, 61, 60, 59, 58, 57 and 56, and all streets, which, with the aforesaid blocks comprise the territory bounded as follows: [Here follows a description of the area.]

"Also the right to erect poles and conductors upon other streets and parts of the said Bergen Beach owned by the parties of the first part, but such right shall not be construed to be perpetual, but shall be simply a consent to such erection similar in nature and effect to the consents required by law for the erection of any such poles and conductors upon the line of a street or avenue.

"And of generating electricity and applying the same for the purposes of light or power upon the territory above described, and further agree that, in leasing any portion of the said premises to other parties, they will in any and all leases hereinafter so made, require such lessees to use electric power or electric light furnished by the parties of the second part where such lessees desire such light or power by electricity.

"*Second*, to construct and maintain a plant on said property for the manufacture of electricity for light or power purposes.

"*Third*, to use and occupy the streets or other parts of said property, for the erection of poles with the necessary conductors for the transmission of electric current.

"Nothing in this agreement contained shall be construed to prevent the parties of the first part or their lessees from using any other system of lighting or power at such times and seasons as the parties of the second part shall discontinue furnishing electric light and power as herein provided.

"It is understood that the above rights and privileges will in no way conflict with the rights or privileges already granted to the Brooklyn Heights Railroad Company which are understood to be as follows:

"*First*, to light their own property, the large dock, and the structure known as the Phoenix Wheel.

"*Second*, to operate their cars."

This agreement contains other provisions binding the grantees to furnish the property owners with a certain amount of electric current during three months of the year. The interest in this original grant now rests on the claim that if at any time the streets at Bergen Beach were opened and dedicated to the public this prior grant from the property owners would operate as a public franchise. The Edison Company claims, of course, that irrespective of any rights secured under this old agreement its other franchises would immediately extend over these streets if at any time they should be dedicated to the public.

For a graphical exposition of the electric light franchises of Brooklyn and the way in which they have come into the possession of their present owners the accompanying chart, entitled "Electric Light Franchises and Companies — Borough of Brooklyn," has been prepared. The various provisions of the Brooklyn franchises are shown comparatively in Table IV, entitled "Analysis of Electric Light Franchises held by the Edison Electric Illuminating Company of Brooklyn and the Flatbush Gas Company."

TABLE IV.—ANALYSIS OF ELECTRIC LIGHT FRANCHISES HELD BY THE EDISON ELECTRIC ILLUMINATING COMPANY OF BROOKLYN AND THE FLATBUSH GAS COMPANY*

Original grantee.....	Pope, Sewall & Co...	Charles Cooper & Co..	Edison Electric Illuminating Co. of Brooklyn.	Kings County Electric Light and Power Co.	State Electric Light and Power Co.	Knickerbocker Electric Light and Power Co.
Local authority.....	Common Council.	Common Council.	Common Council.	Common Council.	Common Council.	Town Board.
Date of franchise.....	Passed May 12, 1884.	Passed May 12, 1884..	Passed Oct. 29, 1888..	Passed June 11, 1894..	Passed over veto Dec. 30, 1895.	July 21, 1893. ⁴
Action by mayor.....	Approved May 19, 1884.	Approved May 19, 1884.	Approved Nov. 3, 1888.	Neither approved nor disapproved.	Vetoed Nov. 9, 1895.	.....
Territory covered by franchise.	Wards 1 to 12, 20 to 25, city of Brooklyn	Wards 13 to 19, and 27 and 28, city of Brooklyn.	Wards 1 to 28, city of Brooklyn.	Wards 1 to 29, and 31, city of Brooklyn.	Wards 1 to 31, city of Brooklyn (possibly also ward 32).	Town of Flatbush, (ward 29) city of Brooklyn.
Area.....	15.62 square miles...	6.87 square miles.....	31.4 square miles.....	47.2 square miles.....	55.6 square miles (or 77.6 square miles.)	5.9 square miles.
Population of district in 1910.	787,530.....	471,965.....	1,437,166.....	1,539,823.....	1,616,939 (or 1,634,351).	73,047.
Scope of franchise.....	Electric lighting....	Electric lighting.....	Electric lighting, electricity or electrical currents for purposes of illumination or power.	Electricity for power, heat and light.	Electricity for light, heat and power.	Electricity for lighting and using of it for power and traction.
When operation required to begin.	Must commence operations within ten days from date of grant.	Must commence operations within ten days from date of grant.	Must commence operations within sixty days from date of grant.	From July 1, 1894, one mile of conduits required to be constructed each year for four consecutive years, on penalty of forfeiture.	From July 1, 1896, one mile of ducts required to be constructed each year for four consecutive years, on penalty of forfeiture of right to extend lines.	.....

Free lighting and compensation in money.	Four 2,000 candle-power arc lights; one electric light for every fifty furnished to private subscribers (one for every thirty as long as no competitive franchise is granted).	Four 2,000 candle-power arc lights; one equivalent in incandescent light; one arc light for every fifty furnished to private consumers; one incandescent light for every thirty consumers.	Four 2,000 candle-power arc lights; one equivalent in incandescent light; one arc light for every fifty furnished to private consumers; one incandescent light for every thirty consumers.	\$500 a year and 1 per cent of gross receipts	\$500 a year beginning Dec. 31, 1895, and 1 per cent of gross receipts.
Free use of poles and conduits reserved.	Poles free to wires of fire and police departments.	Poles free to wires of fire and police departments.	Conduits free to wires of fire and police departments.	.....	.....
Maximum rates for public lighting.	Seventy cents per night for each 2,000 candle power arc light and fifteen cents for each sixteen candle power incandescent light, all night service.	Seventy cents per night for each 2,000 candle power arc light, and fifteen cents per night for each sixteen candle power incandescent light, all night service.	Seventy cents per night for each 2,000 candle power arc light, and fifteen cents per night for each sixteen candle power incandescent light; all night service, with deduction for indoor lights burning less time.	Forty cents per day for each 1,200 power arc light.	Thirty cents per day for each 1,200 candle power arc light.
Maximum rates for private lighting.	Seventy-five cents per night for each 2,000 candle power arc light, fifteen cents per night for each sixteen candle power incandescent light; service from dark till midnight.	Seventy-five cents per night for each 2,000 candle power arc light, fifteen cents per night for each sixteen candle power incandescent light; service from dark till midnight.	Seventy-five cents per night for each 2,000 candle power arc light, fifteen cents per night for each sixteen candle power incandescent light; service from dark till midnight.	.....	.....
Regulation of service and obligation to supply public lighting.	Service subject to "reasonable prudential regulations" ordained by Common Council.	Service subject to "reasonable prudential regulations" ordained by Common Council.	Service subject to "reasonable prudential regulations" ordained by Common Council.	Grantee must supply city wherever grantee has conduits.	Grantee must supply city wherever grantee's conduits or lines extend.

*NOTE.—In addition to its franchise from the old town of Flatbush the Flatbush Gas Company secured a franchise from the City of New York under date of December 28, 1909, by which the company is authorized to supply electricity through a narrow district extending on either side of Ocean Parkway from Foster avenue to the Atlantic ocean, and this grant is subject to the elaborate terms and conditions imposed by the standard form of franchises now used by the city under the provisions of the Greater New York Charter. The details of this grant are too numerous and complex to be shown in this table.

TABLE IV.—ANALYSIS OF ELECTRIC LIGHT FRANCHISES HELD BY THE EDISON ELECTRIC ILLUMINATING COMPANY OF BROOKLYN AND THE FLATBUSH GAS COMPANY* (Concluded)

Publicity of accounts.....	.....	.....	.....	Books open to inspection by city authorities to determine gross receipts.	Books open for examination by city authorities to determine gross receipts.	.....
Poles.....	Department of City Works may require use of gas posts with vertical extensions in lieu of ordinary poles.	.....	.....	.....	.....	.....
Wires.....	To be stretched at least twenty-five feet above sidewalk and at street crossings as high as thirty-five feet if required by Department of City Works.	.....	.....	.....	Position and depth of wires to be determined by Commissioner of City Works; position to be changed only with consent of Common Council.	.....
Underground construction required.	.....	Yes.....	.....	Yes, except as otherwise permitted by subway commission; subject also to Department of City Works	Yes, except as otherwise permitted by subway commission.	.....
Excavations in streets..	Subject to regulation by Department of City Works.	Subject to rules of Department of City Works; no damage to be done to sewers, water pipes, gas pipes, etc.	.....	Streets to be restored and street surface maintained by grantee for one year, subject to Commissioner of City Works.	Streets to be restored and street surface maintained by grantee for one year, subject to Commissioner of City Works.	.....
Right to inspect and supervise street work reserved.	.....	Street work may be done by city in discretion of Commissioner of City Works at expense of company.	.....	Commissioner of City Works may appoint inspectors, the expense to be paid monthly by the grantee.	Commissioner of City Works may appoint inspectors, the expense to be paid by grantee.	.....

Filing of maps required.	.....	.....	.....	.....	.....	.....	.....
Indemnity bond required.	Must furnish bond with penalties and conditions prescribed by mayor, approved by mayor and corporation counsel, for faithful performance of contracts.	Must furnish bond with penalties and conditions prescribed by mayor, approved by mayor and corporation counsel, for faithful performance of contracts.	Bond of \$25,000 to be furnished with penalties and conditions prescribed by mayor. Fulfillment of franchise conditions subject to scientific and mechanical practicability as "demonstrated in other cities."	Bond for a reasonable amount with sureties approved by mayor to be filed before opening of any streets.	Maps showing position of conduits and wires to be filed with Department of City Works, by January tenth each year.	Maps showing position of wires to be filed with Commissioner of City Works, January tenth, and July tenth, each year.	.....
Exclusiveness of grant, and forfeiture.	Not permanently exclusive.	Not permanently exclusive.	.....	Franchise to be forfeited on failure of grantee to comply with any of its provisions.	Franchise to be forfeited on failure of grantee to comply with conditions.	Bond for \$25,000 with sureties approved by mayor to indemnify city against damage suits, and to guarantee fulfillment of franchise requirements.	.....
Grantee's "successors or assigns" recognized in franchise.	Yes.....	Yes.....	Yes.....	Yes.....	Yes.....	No.	.....
Number of times franchise has been transferred.	Two.....	Two.....	.....	One.....	One.....	One.	.....

XV. Electric Franchises and Other Rights of the Flatbush Gas Company.

On July 21, 1893, the Town Board of the town of Flatbush granted a franchise to the Knickerbocker Electric Light and Power Company authorizing the company "to conduct and distribute electricity for lighting, and to the using of it for power and traction within the town of Flatbush, Kings County, New York, and in the streets, avenues, public parks and places thereof, and public and private buildings therein, and for such purposes to generate and supply electricity, and to make, sell and lease all machines, instruments, apparatus and other equipments therefor, and to lay, erect and construct suitable wire and other conductors and the necessary poles, pipes or other fixtures in, on, over and under the streets, avenues, public parks and places" of the town. The Knickerbocker Electric Light and Power Company was incorporated June 28, 1893, under Article VI of the Transportation Corporations Law. On December 27, 1893, the company sold "its property rights, franchises and privileges" to the Flatbush Gas Company for \$15,000.

The Flatbush Gas Company was originally incorporated April 2, 1864, under the act to authorize the formation of gas-light companies, passed in 1848. On December 18, 1893, however, the company filed an amended certificate of incorporation, in which it recited the purchase of the property and franchises of the Knickerbocker Electric Light and Power Company, and certified an extension of its own objects "to the manufacturing and using of electricity for producing light, heat and power in lighting streets, avenues, public parks and places, and public and private buildings of cities, villages and towns within the state of New York."

The stock of the Flatbush Gas Company is now owned by the Brooklyn Union Gas Company having been acquired by the latter May 31, 1897. The former company does not manufacture gas, but receives it from Brooklyn Union Gas Company at a price fixed by the latter, and distributes it to its patrons in Ward 29. The company does, however, manufacture and distribute electricity on its own account. Its operations are confined to Ward 29 and certain extensions of its lines on Ocean Parkway and a few other streets beyond the limits of the ward.

Under a contract dated January 2, 1896, between this company and the Commissioner of the Department of Parks of the city of Brooklyn the company agreed to erect and maintain on Ocean Parkway 90 arc lights of 1,200 candle-power for public lighting for a period of three years. The price to be paid by the city was 28 cents per night for each lamp. The lights were to be operated on an all-night schedule and the company's wires and conductors to be thoroughly insulated.

On August 4, 1897, the company entered into a new contract with the Park Commissioner of Brooklyn, in accordance with which it agreed to remove from Ocean Parkway the poles and wires then in use for lighting the parkway from Prospect Park to Coney Island, and place them in a subway. The company was also to place therein all the wires necessary "for supplying electric current to such public or private consumers as the said company may desire." The Park Commissioner agreed that the company might extend ten lateral subways to the sides of the parkway at the time of putting down the main subway, and from the terminals of these laterals might "make connections through the medium of small pipes to be laid under the surface of the sidewalks for the purpose of lighting houses along said parkway." The Park Commissioner also agreed that the company might supply electric current "to such public or private consumers as may be desirous of using it" on condition that connections should be made underground and that the company in making such connections should not disturb the surface of the roadways or walks. The operations of the company under this contract were to be subject to reasonable supervision and regulation by the Park Commissioner. The company was also authorized, in placing its conduits, to provide spaces for other wires than those then in use, and was authorized to lease such wires or privileges to other parties. The company agreed particularly to supply room in these conduits for the City Fire Department wires. The company was to furnish 91 arc lights of not less than 1,200 candle-power, and any additional lights that might be required. The previous contract was to be abrogated as soon as the company's underground system was completed, and the new contract was to continue in force for three years from Sep-

tember 1, 1897. The city agreed to pay 32 cents per light per night from the time of the completion and successful operation of the underground system.

The Court of Appeals, in *Matter of the People ex rel. The Flatbush Gas Co. v. Bird S. Coler, as President, et al.*, 190 N. Y. 268, decided that the contract with the Park Commissioner dated August 4, 1897, did not constitute a valid franchise giving the company legal authority to supply current to private consumers along the Ocean Parkway. On April 24, 1908, the company presented to the Board of Estimate and Apportionment a petition asking for a franchise along Ocean Parkway from Foster Avenue (the southern boundary line of Ward 29) to Coney Island. Upon investigation the city authorities found that the company was operating outside of Ward 29 at several points in addition to Ocean Parkway. By resolution of the Board of Estimate and Apportionment, adopted June 26, 1908, the company was asked to consult with the Corporation Counsel in regard to existing franchise rights, and file a new application covering all the territory in which it was operating outside of Ward 29. The company did not accede to this request, however, and on September 16, 1908, the Acting Corporation Counsel reported to the Board of Estimate and Apportionment that he had given instructions to commence legal proceedings to oust the company from the streets it was at that time illegally using. Thereafter the company expressed its willingness to withdraw from those streets outside of Ward 29 not included in its pending application. At the request of the city the Edison Electric Illuminating Company of Brooklyn agreed to take over the services of the Flatbush Gas Company in streets where the latter company had no franchise rights. The matter of preparing a franchise contract covering the company's conduits and services on Ocean Parkway and adjoining streets was then taken up with renewed vigor, and finally, on October 11, 1909, the City Division of Franchises reported to the Board of Estimate a form of franchise contract acceptable to the company, which was finally adopted by the Board of Estimate and Apportionment, and was approved by the Mayor, December 21, 1909.

This franchise authorizes the company to supply electric current for public and private purposes within a certain limited ter-

ritory on either side of Ocean Parkway from Foster Avenue to the Atlantic Ocean. The privilege is granted for a period of 25 years from December 17, 1907, the day on which the Court of Appeals decided that the company had no franchise on Ocean Parkway, with the right reserved to the company to a renewal for a further period of 25 years upon a fair revaluation of the grant. The company is required to make an initial payment of \$500 for this franchise, and to pay annually into the city treasury certain minimum sums or certain percentages of its gross receipts in the territory covered by the grant. These minimum sums range from \$150 a year for the first five years to \$650 per year for the last five years of the original franchise period, and the proportions of gross receipts which must be paid in case they amount to more than these minimum sums range from 1 per cent during the first five-year period to 5 per cent during the last five-year period.

For a graphical illustration of this company's corporate history and an analysis of its Flatbush franchise, reference should be made to the corporate history chart of the electric lighting companies of Brooklyn and to Table IV.*

In an opinion dated November 27, 1900, Corporation Counsel John Whalen advised the Commissioner of Public Buildings, Lighting and Supplies that in his judgment a so-called franchise granted by the Town Board of the Town of Newtown to the Bowery Bay Electric Light and Power Company was insufficient as a consent of the municipal authorities. In his opinion the Commissioners of Highways were the proper officers to grant local franchises in towns prior to the date of consolidation. It is to be noted that the Flatbush Gas Company's only electric light franchise for Ward 29 was originally granted by the Town Board of the town of Flatbush. However, in an opinion dated September 28, 1909, the corporation counsel advised the Board of Estimate and Apportionment, relative to this company's rights, as follows: "At the present time I am of the opinion that it would be decidedly unwise to test the question as to the authority of the Town Board to grant franchises of this nature, at this time and in this particular case."

* See opposite p. 283, and p. 284, *ante*.

XVI. Franchises Granted for the Territory now Occupied by the New York and Queens Electric Light and Power Company, Queens.

Franchises covering different parts of this territory were originally granted by several local authorities to several different companies, which, with few exceptions, have now been consolidated into the New York and Queens Electric Light and Power Company.

It seems strange that electric lighting should not have been introduced into Long Island City prior to 1894. The official records of the city contain assertions that electricity was kept out by the influence of the East River Gas Light Company. A resolution granting a franchise to the Queens County Electric Light Company was passed by the city council September 7, 1886, by a vote of four to three, but was rescinded September 16th, by a vote of three to one. In view of the latter action the resolution was returned to the council by the Mayor October 5, 1886, with his veto. In the meantime, on September 21, 1886, a resolution was passed by the city council granting a franchise to the Long Island City Electric Light Company. This resolution was vetoed by the Mayor October 4, 1886. The Long Island City Electric Light Company, however, renewed its application in 1888 and again in 1891. On November 10, 1891, the company was granted a franchise, on December 22, 1891, a public lighting contract was awarded to it, and on December 29, 1891, the terms of the proposed contract were set forth in a resolution adopted by the city council. On April 5, 1892, however, the council passed resolutions purporting to rescind both the franchise of November 10, 1891, and the contract authorized December 22, and December 29, 1891. Both rescinding resolutions were vetoed by the Mayor on May 2, 1892, and thereafter, on July 5, 1892, were passed over his veto. It seems probable that the action of the council attempting to rescind the franchise was ineffectual, but no evidence has been found to show that the company ever exercised franchise rights in Long Island City, or transferred its franchise to any other party.

1. *Long Island City Franchise.*—A franchise was granted December 13, 1894, by the Common Council of Long Island City to the Electric Illuminating and Power Company of Long Island

City. This franchise takes the form of a resolution, by which permission was granted to the company "to erect and maintain poles and wires in Long Island City for the purpose of supplying electric lights and power to such individuals, firms and corporations as may desire to use the same, provided, in case any poles shall be erected at a place which the Commissioner of Public Works shall deem prejudicial to the interests of the city, he shall have authority by a notice in writing to require said company to remove such poles to such other convenient place as such Commissioner shall designate."

2. *Newtown Franchises*.—The several franchises granted by the local authorities of the town of Newtown for electric lighting purposes covered the territory which now constitutes Ward 2 of the Borough of Queens. There were no incorporated villages within its limits prior to its annexation to the City of New York; accordingly, a franchise granted by the proper town authorities covered all the streets within the limits of the district, except county roads. Those in turn were covered by the franchise granted by the Board of Supervisors.

A. The Seely Franchise, 1891.—A franchise was granted, June 12, 1891, by the Highway Commissioners of the town of Newtown to the Newtown Electric Light Company. The petition of the company asking for the franchise was dated May 7, 1891, and asked for permission to "erect poles and lay tubes in the highways, streets and avenues in the township of Newtown, for the operation and maintenance of electricity for light only," all processes of construction to be under the jurisdiction of the Highway Commissioners. This application was granted on June 12 of the same year, on the following conditions:

(1) "The poles must be erected so they don't interfere with the public travel;"

(2) The company "must be commencing in operation in the time of one year, if not the franchise will be void;"

(3) "A bond to the amount of \$5,000 has to be filed at the County Clerk's office."

This franchise has had an unusual history. According to the claim of the New York and Queens Company, title to this franchise passed from the Newtown Electric Light Company to John A. Seely; from him to the Newtown Electric Light and Power

Company; from it through Henry C. Adams, Jr., Receiver, to J. H. Warner; from him to P. J. Bennett; from him back to J. H. Warner; from him to Thomas W. Stephens (also to quiet title, directly from John A. Seely to Thomas W. Stephens); from him to the New York and Queens Gas and Electric Company; from it by merger to the New York and Queens Electric Light and Power Company. The details of these transfers are given in Exhibit V.

B. The McKenna Franchise, 1895.—Another franchise was granted by the Highway Commissioners of Newtown on May 20, 1895, to Francis McKenna. This franchise authorized McKenna or his assigns “to enter upon and open the several streets, roads, avenues, public parks or places in the town of Newtown for the purpose of laying and erecting the necessary poles, pipes or other fixtures in, on or over and under the said streets, roads, avenues, public parks or places for the purpose of supplying to the said town and its inhabitants electricity for light, heat or power.” The only condition imposed upon the grantee by this franchise was that he should restore the streets and public places opened by him to as good a condition as they were in before they were opened, and do it within a reasonable time after their opening.

On July 16, 1895, McKenna transferred this franchise to the Newtown Light and Power Company in return for 192 shares of the capital stock of the company.

C. The County Road Franchise, 1897.—A franchise was granted March 15, 1897, by the Board of Supervisors of Queens County to the Newtown Light and Power Company, permitting the company, its successors and assigns, “with the written consent of the County Engineer, to enter upon and open the several county streets, roads, highways, avenues, public parks and places within the town of Newtown in the manner and subject to the limitations presented by the county engineer, for the purpose of laying, erecting and constructing suitable wires or other conductors, with the necessary poles, pipes or other fixtures in, on, over and under the county streets, roads, etc., as aforesaid, for the purpose of supplying the said town and its inhabitants with electricity for light, heat and power.” The conditions attached to this franchise were that the company should repave or otherwise put in proper

order at its own expense, without unreasonable delay and to the satisfaction of the County Road Engineer and the Board of Supervisors, any street or public place opened or disturbed by it, and that the company should file with the clerk of the Board of Supervisors a bond with two or more sureties, to be approved by the Board of Supervisors in the sum of \$5,000, conditioned upon the faithful performance of the provisions of the franchise.*

D. The Miller Franchise, 1897.—Another franchise was granted on April 28, 1897, by the Highway Commissioners of Newtown to Charles Miller. Under this franchise permission was given "to said Charles Miller, his heirs and assigns, to enter upon and open all or any of the several streets, roads, avenues, public parks or places in the town of Newtown for the purpose of laying and erecting necessary poles, pipes or other fixtures in, on, over and under the said several streets, roads, avenues, public parks and places for the purpose of supplying to the said town and its inhabitants electricity for light, heat or power." As in the case of the McKenna franchise, the only condition attached was that the grantee should restore the streets and public places disturbed by him to as good condition as they were in before such disturbance and do it within a reasonable time after such disturbance.

This franchise was sold by Miller on June 16, 1899, to the New York and Queens Gas and Electric Company in consideration of the sum of one dollar and "other good and valuable considerations." In this transfer Miller said: "I hereby represent and covenant that I am the sole owner of said franchise and of all rights granted under said instrument and resolution, that the same are free from any claim, lien or incumbrance and that I have the right to assign the same."

* By chapter 333 of the Laws of 1893, approved April 7, 1893, the Legislature had authorized the Board of Supervisors of any county, by a majority vote, to adopt the County Road System, and thereafter designate as county roads "such portions of the public highways in such county not within an incorporated village or city as they shall deem advisable; and shall cause such designation and a copy of such county roads to be filed in the clerk's office of such county." It was provided further that "the roads so designated shall, as far as practicable, be leading market roads in such county." It was also provided that county roads should be "exclusively under the jurisdiction of the Board of Supervisors and the County Engineer of the county, and exempt from the jurisdiction of the highway officers of the town." This provision was amended by chapter 375 of the Laws of 1895, in effect April 23, 1895, so as to permit the supervisors to designate as county roads public highways within the limits of incorporated villages. Village highways so designated were to be exempt from the jurisdiction of the village officers performing the duties of highway commissioners. The various highways in the town of Newtown that had been designated as county roads at the time of the granting of this franchise are shown on a map of "County Roads in the Borough of Queens," numbered "10-D-a," on file in this office.

3. *Town of Flushing Franchises.*— Franchises granted by the local authorities of the old town of Flushing covered all the district now constituting Ward 3 of the Borough of Queens, outside of the limits of the old incorporated villages of Flushing, Whitestone and College Point.

A. Commissioners of Highways and Town Board grant, 1897.— A franchise was granted December 29, 1897, by the Commissioners of Highways of the town of Flushing and ratified and approved December 30, 1897, by the Town Board of the town of Flushing to the Flushing Electric Light and Power Company. By this grant the Highway Commissioners gave to the company, its successors and assigns “the franchise or right to place and maintain suitable wires and other conductors with the necessary poles, pipes and other fixtures in, on, over and under the streets, roads, avenues, highways, public parks and places in the town of Flushing not within the corporate limits of any incorporated village, and to do such other acts as shall be necessary or proper for the purpose of supplying the said town and its inhabitants with electricity for lights, heat and power.” The conditions upon which this franchise was granted by the town authorities were substantially as follows:

The company was required to restore all streets and public places without unreasonable delay to the same condition in which it found them. The company was required to get a permit from the Highway Commissioners before opening any particular street. The company was forbidden to place wires, poles or other fixtures in any street or public place until their location had been defined by the Highway Commissioners.

The franchise was granted for a period of 25 years, subject to the right of renewal for an additional period of 25 years on a fair revaluation to be determined as follows:

“The company shall within six months before, and at least three months before, the expiration of said first period of 25 years, designate in writing a taxpayer residing within the present limits of the town of Flushing to act as one of a board of three appraisers. Within ten days after receiving written notice of such designation the Mayor of the City of New York, as constituted by chapter 378 of the Laws of 1897, or any subsequent legislation, shall designate in writing a second member of such board, and within ten days after such designation the two so designated shall designate in writing

a third member of such board, who shall be a taxpayer residing within the present limits of the town of Flushing. If such Mayor shall fail to appoint an appraiser within the period above specified, or if the two appraisers designated by the company and such Mayor respectively shall fail to designate a third appraiser within the period hereinbefore provided for such designation, then a board of three appraisers, each of whom shall be a taxpayer residing within the present limits of the town of Flushing, shall be designated in writing by such president of an incorporated bank or trust company doing business within the limits of the City of New York, as constituted by chapter 378 of the Laws of 1897, as shall be designated in writing by the company. When a board of appraisers shall have been designated in either of the modes above provided such board shall proceed to make a fair revaluation of said franchise or right, and the determination of such revaluation concurred in by a majority of said board shall be final. The expense of any such revaluation shall be defrayed by the company."

The company was required to adopt from time to time such improvements in its apparatus and appliances as should be necessary to secure "efficient public service at reasonable rates", and it was stipulated that the rates should not at any time "be in excess of the rates at the time generally charged for similar service by corporations engaged in the same business within the limits of the town of Flushing." The company was also required to maintain its conductors and plant in a good and safe condition. It was stipulated that, if the company should fail within a reasonable time to do any act required of it in accordance with the terms of the franchise or which it had been requested to do by the proper public authorities, "then the town of Flushing, or the Commissioners of Highways of said town, or their lawful successors in authority may do such act, and the expense thereof shall be paid by the company."

The company was required to file an acceptance of the franchise in the office of the town clerk on or before December 31, 1897. The company's formal acceptance was filed in December, 1897, but the exact date was not filled in.

B. County Road Franchise in Town of Flushing.—A franchise was granted by the Board of Supervisors of the County of Queens on April 13, 1897, authorizing the Flushing Electric Light and Power Company, its successors and assigns, "to enter upon and open the several county streets, roads, highways, avenues, public parks and places within the town of Flushing, including the villages of Flushing, College Point and Whitestone, for the purpose

of laying, erecting and constructing suitable wires or other conductors, with the necessary poles, pipes or other fixtures in, on, over and under the county streets, roads, etc., as aforesaid, for the purpose of supplying the said town and villages and their inhabitants with electricity for light, heat and power." The consent of the County Engineer was required, however, before the company could occupy any particular street, and the work done by the company in the street was to be done under his direction. Whenever the company disturbed any street it was required to repave it or otherwise put it in proper order without unreasonable delay "to the satisfaction of the County Road Engineer and the Board of Supervisors." The company was required to file a bond for \$5,000 to guarantee the performance of its part under the franchise. The \$5,000 bond required by this franchise was executed by the company April 19, 1897. The streets covered by this grant are shown on the map of county roads in the Borough of Queens, to which reference has already been made.

4. *Flushing Village Franchises.*—The incorporated village of Flushing now constitutes a portion of Ward 3 of the Borough of Queens.

A. The Dykes grant, 1889.—By resolution of the Board of Trustees of the village of Flushing, adopted November 19, 1889, on the petition of Joseph Dykes, permission was granted to a corporation to be organized by the petitioner and his associates and to be known as the "Flushing Electric Light and Power Company," "to erect and maintain poles and to attach wires thereto for the purpose of furnishing electric light and power" on Broadway between Lawrence Street and the town hall, on Main Street and on Jamaica Avenue between Main Street and Sanford Avenue, upon certain conditions as follows:

The company's poles were to be of a size approved by the village trustees or by a committee or officer designated by them for the purpose, and were to be located at points designated by the trustees or their representative.

The company was to have "a satisfactory system of electric lighting in actual operation" and be prepared to furnish electric light and power upon the streets enumerated on or before March 1, 1890.

The company was required to furnish the village an indemnity bond in the sum of \$5,000, with at least two sureties, to save the village harmless from claims for damages.

The company was to comply promptly with all regulations which the Board of Trustees should "deem proper from time to time to impose in the interest of public safety or convenience," and all the company's plant, apparatus and fixtures were to be open at all times to the inspection of the trustees or any one authorized by them.

"This license is granted," said the resolution, "for the purpose of affording to the residents of the village an opportunity of testing the value of the system of electric light and power which said company proposes to introduce; it shall not be deemed to grant to said company the right of permanent occupation of said streets or any of them; it shall be revocable by the Board of Trustees whenever in the judgment of said board the public interest shall demand such revocation, and said company shall within fifteen* after notice of a resolution of said board revoking this license remove from said streets its poles and wires and restore said streets to their proper condition, and in default thereof such work may be* by the village and the said company shall and will pay to said village the cost thereof."

The license was not to take effect until the company had filed the required indemnity bond, together with a certified copy of the resolution of its board of directors accepting the grant upon the conditions prescribed and agreeing to conform to such conditions.

This franchise was superseded to all intents and purposes by the general franchise of 1892 described in the next paragraph. If any rights remain under the original Dykes grant they are now held by the New York and Queens Electric Light and Power Company.

B. Grant of 1892.—By resolution of the Board of Trustees of the village of Flushing, adopted April 5, 1892, the Flushing Electric Light and Power Company was given a general franchise authorizing it to erect and maintain in the streets of the village of Flushing the necessary poles for the support of wires to be used only for the furnishing of electric light and power. The material, style and pattern of the poles were to be approved

* Word omitted from the original record.

by the street committee of the Board of Village Trustees and the poles were to be erected at points designated by the committee. No excavation for the erection of poles was to be commenced without a permit from the Village Trustees. The company's poles and wires were to be repaired and renewed from time to time as the village authorities might "reasonably require for public safety." All the company's wires were to be insulated in a manner to be approved by the village board, and the company was required from time to time to adopt new or improved methods of insulation at the direction of the board, and was to be subject to all lawful regulations and ordinances that might be made from time to time for the public safety. The company was, at the request of the board, to furnish the village such street lights as might be required, at a rate at least 10 per cent less than the lowest rate at which similar lights were furnished to any other consumer with whom the company should contract for furnishing electric light subsequent to the granting of this franchise. The company was also to furnish the village one free light for every 10 lights for which the village paid. It was stipulated that the company should be ready to furnish light for streets, stores and dwellings through Main Street and in Broadway from Flushing Creek to Parsons Avenue by January 1, 1893.

The franchise was granted for a period of 25 years. It was provided, however, that if at any time after the expiration of 10 years improvements in the methods of electric lighting should have been devised and have come into general use the company might be required on six months' notice to adopt them throughout the village. The company was also required to furnish a \$5,000 indemnity bond conditioned upon performing all the requirements of the franchise and saving the city harmless from damage claims growing out of the exercise of the franchise. In case the company violated any of the conditions of the franchise the grant might be revoked by the village board after 30 days' written notice to the company. It was stipulated that at the expiration of the period for which the franchise was granted, or "upon any earlier determination thereof," the company should at its own expense remove all its fixtures from the streets of the village, and in default of doing so should be liable to the village for the ex-

pense of such removal. The company was required to file a written acceptance of the franchise within 30 days. In the last clause of this franchise it was stipulated that upon the filing of the required bond the bond which had theretofore been filed with the village clerk should be void, "except as to any liability which may have then already accrued."

This franchise was superseded in 1897 by the new grant described in the next paragraph.

C. Grant of 1897.—By resolution of the Board of Trustees of the village of Flushing a new franchise was granted January 19, 1897, to the Flushing Electric Light and Power Company, which by its terms superseded the one just described. The new franchise contained practically the same conditions as the grant of 1892, with the exception that the village was to pay for its lights "at the lowest rate at which like lights and service are at the time being furnished by said company to other consumers in the village," instead of getting a 10 per cent discount from this rate. The provision for one free light for every 10 paid for by the village was retained, however. It was stipulated that, under the new franchise, the company should not be released from any claims which had theretofore accrued in favor of the village or any other party as against the grantee. The formal acceptance of this new franchise was filed by the company February 5, 1897, and a \$5,000 bond in favor of the village was executed by the company on the same date.

5. *Whitestone Franchise*, 1897.—By resolution of the Board of Trustees of the village of Whitestone, adopted April 8, 1897, a franchise was granted to the Flushing Electric Light and Power Company authorizing the company, its successors and assigns "to erect and maintain in the streets and public places of the village of Whitestone poles, wires and the necessary appurtenances for the purpose of furnishing electric light and power in said village." The general conditions of this franchise are similar to those contained in the one last described granted by the village of Flushing. The material, pattern and location of the electric light poles were to be approved by the street committee of the village. Excavation could not be begun by the company without a special permit. Repairs were to be made when required by

the village for public safety. The company agreed to comply with regulations and ordinances passed to insure the insulation of the wires. The company also agreed to furnish street lights to the village at its lowest rate to other consumers and to maintain one free light for every 10 for which the village paid. The company was to furnish a \$5,000 bond and file its acceptance of the franchise, including the conditions attached to it. The franchise resolution was adopted "upon the express condition that in case the company shall not within three months from the date of the passage thereof have caused to be constructed a line of poles from its station in the village of Flushing to the village of Whitestone, and shall not within one month from the completion of said pole line have begun the supply of electric current in said village, then at the option of said Board of Trustees the privileges granted by this resolution may be revoked." It was also agreed that the company should not charge the village for public lighting any higher rates than those specified in a certain statement referred to which the president of the company filed with the village board. The company also agreed not to charge any higher rates for public or private service in the village of Whitestone than it was at the time charging in the village of Flushing. The New York and Queens Electric Light and Power Company, which now operates under this franchise, has been unable to furnish the Public Service Commission with a copy of the statement specifying rates filed by the president of the Flushing Electric Light and Power Company with the village board of the village of Whitestone. A formal acceptance of the Whitestone franchise was filed by the Flushing Electric Light and Power Company, April 13, 1897, and the \$5,000 bond required was executed by the company on April 8, 1897. Whitestone is now a part of Ward 3 of the Borough of Queens.

6. *College Point Franchise, 1897.*—By resolution of the Board of Trustees of the village of College Point, adopted April 5, 1897, a franchise was granted to the Flushing Electric Light and Power Company, under which permission was given to the company, its successors and assigns, "to erect and maintain in the streets and public places of the village of College Point, poles, wires and the necessary appurtenances, for the purpose of furnishing electric

light and power in said village." The conditions of this grant in regard to the setting of poles, the installation of wires, the furnishing of public lights, the filing of a bond and the acceptance of the franchise were the same as those contained in the franchises granted by the villages of Flushing and Whitestone just described. In the College Point franchise also a provision was inserted similar to the one in the Whitestone franchise requiring the company to have its pole line constructed within three months and electric current supplied within a month thereafter, or run the risk of having its franchise revoked. It was also agreed that the company should not charge for private or public lighting in the village of College Point "higher rates than it is at the time charging for similar service in the village of Flushing and in the village of Whitestone." A formal acceptance of this franchise was filed by the company April 13, 1897, and a \$5,000 bond as required was executed on April 5 of that year. College Point is now a part of Ward 3 of the Borough of Queens.

7. *Town of Jamaica Franchises.*—The former town of Jamaica is now Ward 4 of the Borough of Queens, excluding the incorporated villages of Richmond Hill and Jamaica, over which the town authorities had no jurisdiction for franchise-granting purposes.

The minutes of the board of town officers for December 23, 1892, show that, "on motion of Justice Lester, seconded by Justice Hendrickson, the application of the West Jamaica Electric Light Company to erect poles was granted." A reference to the company's application is found in the minutes of December 31, 1891, but no light is cast upon the specific proposal made by the company. It should be noted that this franchise was granted at a time prior to the incorporation of the village of Richmond Hill, and would therefore cover the territory later included in the village, as well as that portion of the old town of Jamaica covered by later town franchises.

The electric light franchises granted by the town authorities after the incorporation of the village of Richmond Hill were the following:

A. Woodhaven Electric franchise, 1895.—In a report of expert accountants submitted to the comptroller in 1898 relative to outstanding contracts of the former town of Jamaica, it is stated

that, on December 5, 1895, an application was made to the town authorities by the Woodhaven Electric Light Company for a franchise. On December 12, 1895, a franchise was granted to this company by resolution of the Commissioners of Highways, on certain conditions. The company agreed to install an electric plant within the limits of the town and to commence construction by January 15, 1896, to complete the plant by April 1, 1896, and to furnish sixteen-candle-power electric lights by May 1, 1896. The company was to charge fair and reasonable rates, was not to cause any unreasonable obstruction of the streets and was to hold the town harmless from damages or liability for damages arising out of the exercise of the franchise. The company was to use every precaution in making the installations, and streets opened were to be repaved by it without delay and to the satisfaction of the Highway Commissioners. In case the company was delayed by strikes, the elements or legal proceedings its time as specified in the grant was to be extended. This grant was to be operative upon acceptance in writing. The acceptance was filed without date, but no bond furnished by the company was on file in the office of the town clerk. The franchise covered the right to construct wires and conductors with the necessary poles, pipes or other fixtures in, on, over and under the streets and public places of the town outside of the limits of incorporated villages, for the purpose of conducting and distributing electricity for producing light, heat and power.

The Woodhaven Electric Light Company was incorporated November 27, 1895, under Article VI of the Transportation Corporations Law, for the purpose of operating in the town of Jamaica. The amount of its authorized capital stock was \$25,000. We have no record to show that this company ever engaged in active operation or that anything was ever done under the Highway Commissioners' franchise of December 12, 1895.

B. Long Island Illuminating Company franchises, 1896.—By resolution of the Town Board of Jamaica, adopted January 10, 1896, and by resolution of the Highway Commissioners of the town of Jamaica, adopted January 16, 1896, the Long Island Illuminating Company was authorized to supply both gas and electricity in the town.

Under the town board grant the company was authorized "to lay, erect and construct suitable wires and other conductors with the necessary poles, pipes or other fixtures in, on, over and under the streets, avenues, lanes, alleys, square and highways, public parks and places, in said town or township, for conducting and distributing electricity, and for using the same for light, heat and power in the said town or township, and the streets, avenues, lanes, alleys, square, highways, public parks and places thereof, and the public and private buildings therein, and for such purposes to generator [sic] and supply electricity, and make, sell or lease all machines, instruments, apparatus and other equipments therefor."

The franchise required that "all trenches or excavations which shall be made by the said company for the purpose of laying its mains or conductors through any street, avenue, alley, lane, squares or highways in said town or township shall be filled in immediately after such conductors or mains shall have been laid, the earth thoroughly rammed as the same is thrown into the trench or excavation, and the pavement replaced in a good and workmanlike manner, according to the regulations of the proper authorities." Although it was specifically stated that the conditions prescribed applied to both gas and electricity, the condition just described is the only one which could in any way affect the operation of an electric light company.

The franchise granted by the Highway Commissioners on January 16th of the same year authorized the company "to lay, erect and construct in such manner and under such reasonable regulations as the board may prescribe suitable wires and other conductors with the necessary poles, pipes or other fixtures in, on, over and under the streets, avenues, public parks and places of the town of Jamaica, outside of the limits of the several incorporated villages therein, for conducting and distributing electricity for producing light, heat and power." This grant was made upon the following conditions:

The company was required to install "a due and proper improved gas and electric plant" within the limits of the town, and to furnish gas or electric light "of due and adequate force, sufficiency and candle power, such candle power to be no less than

16 for every incandescent light furnished by the company." There was to be no unreasonable or unnecessary obstruction of the streets by the company while constructing its works or placing its fixtures. The company was to indemnify the town against damages arising from operations under the franchise. The company was to use the precautions "usually taken by light companies" in the installation, maintenance and renewal of its conductors. The company was to restore any streets opened by it to proper condition without unreasonable delay and to the satisfaction of the Highway Commissioners.

This franchise was evidently patterned after the one granted by the town authorities of Jamaica to the Woodhaven Electric Light Company. A curious evidence of this is found in the "8th" condition, by which it is provided that any delay caused by strikes, the action of the elements, etc., shall not be deemed a part of the time within which the company is required to furnish light, although there is no other reference in the franchise to any limit of time within which the company was to have its plant in operation.

C. Jamaica Electric Light Company franchises, 1896 and 1897. —A franchise was granted October 27, 1896, by the Highway Commissioners of the town of Jamaica, by which the Jamaica Electric Light Company was authorized "to lay, erect and construct in such manner and under such reasonable regulations as the board may prescribe, suitable wires and other conductors, with the necessary poles, pipes or other fixtures in, on, over and under the streets, avenues, public parks and places of the town of Jamaica, outside of the limits of the several incorporated villages therein, for conducting and distributing electricity for producing light, heat and power." This authority was granted upon the following conditions:

The company was to install a "due and proper improved electric plant" within the limits of the town. The company was to commence to furnish electric light by December 15, 1896, unless the time should be extended "by consent." The company was to charge "fair and reasonable rates for electric light." The company was not unnecessarily or unreasonably to obstruct the streets of the town in the construction of its works, erection of its poles

and the stringing of its wires. The company was to agree to indemnify the town for all damages caused by the company's operations. The company was to make use of precautions "usually taken by light companies in all insulations, stringing, renewing and repairing its wires and conductors." Streets opened by the company were to be repaved or otherwise put in proper order without unreasonable delay and to the satisfaction of the Highway Commissioners. It was agreed that for delays caused by strikes, action of the elements or legal proceedings the company should have an extension of time. It was stipulated that the occupation of the streets of the town outside of the several incorporated villages should be under the supervision of the Highway Commissioners.

The franchise was to run "for the term of 45 years only."

It was agreed that, if the company or its successors should cease to operate any of its poles or wires for a period of three months, such poles and wires should be removed from the highways after 60 days' notice from the Highway Commissioners. In case of failure on the part of the company to remove such fixtures when required to do so the work was to be done by the town authorities and the expense of it charged to the company.

Another grant was made to the same company November 26, 1897, by the Town Board. The terms and conditions of this grant were in most respects identical with those of the franchise granted by the Highway Commissioners in the preceding year. The Town Board, however, was substituted for the Highway Commissioners wherever the franchise required the company to act under the direction of the town authorities. The term of the grant was described as being "45 years from the date of the signing of this franchise." The time for the beginning of operation was fixed in the town board grant at December 15, 1897, instead of December 15, 1896, as in the Highway Commissioners' grant.

D. County Road franchise, 1896.—By resolution of the Board of Supervisors of the County of Queens, passed December 8, 1896, the Jamaica Electric Light Company was authorized to occupy the county roads within the town of Jamaica outside of the limits of incorporated villages, for the purpose of conducting and

distributing electricity for light, heat and power. This franchise was granted on substantially the same terms as the franchises granted by the town authorities which we have just described, except that the supervisory control of the company was reserved to the County Road Engineer and the Board of Supervisors.

This franchise is now claimed by the New York and Queens Electric Light and Power Company. The copy of the franchise filed by this company with the Public Service Commission does not show any evidence, however, that the grant was formally accepted by the company.

8. *Village of Jamaica Franchises.*—For the area included in the limits of the former village of Jamaica, the New York and Queens Electric Light and Power Company is unable to show any formal franchise, but claims a franchise by acquiescence. An examination of the minutes and papers of the old village shows that the following electric light franchises and contracts were granted at various times.

A. The American franchise, 1886.—On December 3, 1885, the American Electric Manufacturing Company by H. H. Burgett, its general agent, petitioned the Board of Trustees of the village of Jamaica for “leave to locate and erect such poles and fixtures and to string such wires through and upon the streets and highways of said village as may be necessary to enable it to prosecute in said village the business of electric lighting.” This petition was referred to a special committee which on January 7, 1886, reported the form of a franchise to this company. A resolution was introduced making the grant in conformity with the committee’s report. The minutes of the village board state that the president of the village “said it was an important question and desired the Board to defer action upon it until another meeting and have a full board present, but the matter was pressed and the resolution unanimously adopted.”

The terms of this grant were quite elaborate. Permission was given to the company to erect suitable poles and fixtures on the streets and to string electric wires on the poles, as well as to “carry on the business of lighting the streets, highways, houses, stores and dwellings” in the village. It was expressly stipulated, however, that nothing in the grant should be construed “to bind said village of Jamaica to employ said company.” It was also

stipulated that the franchise might be revoked at any time by the village trustees, and that on such revocation the company if called upon to do so should remove all its fixtures and restore the streets to as good condition as they were in at the time the fixtures had been erected. The company was to agree on request of the Board of Trustees to furnish public lights and to supply electric lights to any private parties on request. The committee which drafted the form of franchise evidently intended that the maximum "yearly rental or royalty" for street lights should be fixed, as they left a blank for that purpose. This matter seems, however, to have been overlooked when the franchise was granted. The rates for private lighting were to be "the same in proportion according to the number of the lights furnished as is charged to the village." The village trustees expressly reserved the right to grant similar privileges to other companies. The grantee was to indemnify the village against all damages that might arise through operation under the franchise and to execute such bond as should be deemed necessary by the president and Board of Trustees.

The American Electric Manufacturing Company was incorporated March 30, 1885, for the purpose of doing a general electrical business as already set forth in an earlier section of this report. This company was one of the six to which a grant was made by the old City of New York by the omnibus franchise resolution in effect June 13, 1887. The company's New York franchise is now claimed by the Long Acre Electric Light and Power Company. No evidence has been found that the company ever operated under its Jamaica franchise or transferred it to any other person or company.

B. Jamaica Gas Light Company's Electric franchise, 1887.—Under date of October 6, 1887, the Jamaica Gas Light Company applied to the Board of Village Trustees of Jamaica "for the right to erect suitable poles or other supports on the public streets of said village for the purpose of holding wires and suitable apparatus to light the stores, dwellings, public streets and public dwellings of said village with the electric light." On October 12, 1887, a resolution was passed by the Board of Trustees granting the permission asked for, and another resolution was passed to the effect that the poles and wires be erected under the supervision of the Board of Trustees.

On October 1, 1890, an electric lighting contract was executed between the village of Jamaica and the National Electric Manufacturing and Construction Company. Under this contract the company agreed to erect and maintain for a period of three years a complete electric light plant in the village, and have it in full operation by December 1, 1890. The company agreed to furnish 150 incandescent lights of 32 candle power each and as many more as the village trustees might order from time to time at the rate of \$17.50 per annum for each light. The lights were to be located at points designated by the trustees, but the number of lights was to average not less than 15 per mile. The company's lights were to be "kept burning with full volume of light from dark to daylight every night during the said term of three years according to the time table established for lighting the streets of the City of New York." The company also agreed to furnish lights to private parties at the rate of not more than \$1.25 a month for service from dark to 11 o'clock, or 1 cent per hour while burning for each incandescent 16-candle-power light. The company agreed to indemnify the village against damages arising from the exercise of the franchise and to keep its wires properly insulated at all times. Poles and wires were to be constructed in such a manner as not to interfere with traffic in the streets, and the company was to furnish necessary space on the cross-arms of its poles for all of the police and fire alarm wires of the village. It was also expressly agreed that the company was "neither to trim or cut down any tree in said streets or public places," except as authorized by the trustees. The company was also required to keep its poles painted. An indemnity bond of \$1,000 was to be filed, and the company agreed to furnish additional public lights of less than 32 candle power at the rate of \$12 a year for a 16-candle-power light, \$14 for a 20-candle-power light, and \$16.50 for a 25-candle-power light.

Shortly afterwards the company's bond was filed, as required by the contract, but the Franchise Bureau has been unable to find any record of the incorporation of the National Electric Manufacturing & Construction Company for the purpose of distributing electricity in the state of New York. On June 4, 1891, the company filed a certificate to the effect that it had assigned its contract

to the Jamaica Gas Light Company. On the same date a resolution was adopted by the village trustees notifying the Jamaica Gas Light Company to paint the electric poles.

It appears that electric street lighting was furnished by the Gas Light Company during the next two or three years and that it ceased to operate its electric light plant in 1893, as a contract for public lighting by electricity was in that year awarded to another party. The New York & Queens Electric Light & Power Company makes no claim to the electric lighting franchise granted to the Jamaica Gas Light Company on October 12, 1887. There is no record among the papers filed with the Public Service Commission or in the minutes of the Jamaica village trustees, so far as we have been able to find, showing that the Jamaica Gas Light Company's electric franchise was ever transferred.

C. The Browne franchise, 1887.—On October 6, 1887, Jesse Browne, Jr., petitioned the Board of Trustees of the village of Jamaica for an electric light franchise on behalf of himself and associates. This franchise was granted on October 12th, the same date on which a similar grant was made to the Jamaica Gas Light Company. The only condition of these grants was that the poles and wires erected by the grantees should be under the supervision of the village trustees.

It should be noted, also, that on October 6, 1887, the Thomson-Houston Electric Light Company had asked for a franchise for the purpose of erecting poles and wires necessary for a public lighting service. This company's petition was rejected on the same date that the two franchises last mentioned were granted.

No record of the corporate identity of Jesse Browne, Jr., and his associates and no trace of any construction or operation under the Browne franchise, or of the transfer of this franchise to any other person or company has been found. It should also be noted that on June 5, 1890, H. C. Buckhorn & Company, of 367 Fulton Street, Brooklyn, petitioned for an electric light franchise, and that, on August 7, 1890, a bid for lighting the village with electricity by the Husler Long Incandescent system was received from George B. Ellery. No grant seems to have been made in response to either of these propositions.

D. Jamaica Electric Light Company contracts, 1893 and 1896.—On September 7, 1893, the same day on which the Jamaica Gas

Light Company signified its inability to continue public lighting under its old contract, a bid was received by the Board of Trustees of the village of Jamaica from Mr. John N. Williamson, who offered to furnish electric lights on a three-year contract at the rate of \$80 per annum for each four ampere 800-candle-power light, and \$100 per annum for each six ampere 1,200-candle light, the lights to be burned on an "every night all night" schedule. If given a five-year contract he offered to furnish 1,200-candle-power lights at the rate of \$95 each. In any case the contract was to be for not less than 100 lights, and all lamps were to be suspended over the center of the street.

On September 23, 1893, a resolution was adopted by the village trustees authorizing the execution of a contract with Williamson for lighting the public streets. This contract was executed two days later, September 25th. Under its terms Williamson agreed to erect a complete electric light plant in the village and to have it in full operation not later than December 21, 1893, and to maintain it for a period of three years from that date. He agreed to supply at least 100 arc electric lights of 800 candle power each, and as many more as the village trustees might desire, for lighting the streets, public places and buildings of the village, at the rate of \$80 each per annum. These lights were to be kept burning on an all-night every-night schedule. Williamson agreed to erect the poles and put up the wires and appliances necessary for the performance of this contract in the streets and public places of the village, and to maintain them in such a way as not to interfere with public travel or traffic and in such places and in such manner as should be directed by the village trustees. He also agreed to furnish free of cost the necessary space on the cross arms of his poles for all police and fire alarm wires desired by the village. The contractor agreed not to trim or cut down any tree in the public streets except as authorized by the village trustees. He further agreed to keep his poles painted. He was to keep his wires properly insulated and to indemnify the village against damages resulting from the exercise of the contract or from the infringement of any patent right affecting his apparatus, plant or appliances. He was also to execute a \$10,000 bond to guarantee the faithful performance of the contract. The village, on the other hand,

agreed "to give and grant" to the contractor "such power and authority as it lawfully may to erect and maintain in and over the said public streets and places, the poles, wires and appliances necessary for the performance of this contract." It was stipulated that, if the contractor failed to furnish the lights provided for by December 21, 1893, or at any time thereafter during the term of the contract, the village trustees might declare the contract void. It was also expressly stated that the contractor "further agrees that at the expiration of this contract, in case the same shall not be renewed, to remove all the poles, wires and appliances which may have been erected in said village in performance thereof from the streets and public places of said village within 90 days after receiving notice to remove the same," from the board of trustees.

It is to be noted that this contract, unlike the contract of 1890, between the village and the National Electric Manufacturing & Construction Company, afterwards assigned to the Jamaica Gas Light Company, makes no reference either by way of conferring a right or by way of imposing an obligation upon the contractor to the furnishing of electric light to private consumers. The Jamaica Electric Light Company was incorporated October 13, 1893, and John N. Williamson became president of the company.

On July 2, 1896, in response to an advertisement, the village trustees received from the Jamaica Electric Light Company a proposal for furnishing electric lights for public purposes for a period of three or five years, at the rate of \$77.50 for each 800-candle-power light. On July 16, 1896, a resolution was adopted awarding the contract for lighting the streets to the electric light company "in accordance with their bid." On September 11, 1896, a resolution was passed by the village trustees rescinding the former resolution awarding the contract for street lighting to the Jamaica Electric Light Company. Immediately thereafter, however, a new resolution was adopted to the effect that the "street lighting contract for the period of five years from December, 1896, be and the same is hereby awarded to the Jamaica Electric Light Company, pursuant to the bid heretofore submitted to this board by said company, provided a written contract, satisfactory to said company and this board be properly executed." The contract was finally

executed on September 16, 1896, and on the same date the company executed a \$10,000 bond for the benefit of the village. This contract was to run for a period of five years from December 1, 1896. Under this contract the minimum number of lights to be furnished was to be increased to 135, and elaborate provisions were inserted for testing the efficiency of the lights and for deductions from the payments made by the village in case the lights were not up to the standard. The provisions of the contract were substantially the same as those of the contract granted to Williamson three years earlier, except for more elaboration. The paragraph relative to the status of the company's fixtures at the end of the grant was as follows:

"And it is further agreed by and between the said parties that the said party of the second part shall upon determination of this contract remove all its poles, wires and appliances erected by virtue of this contract within ninety days after notice from said trustees so to do, and in default thereof the said trustees are hereby empowered to cause the same to be removed and the expense thereof shall be paid by the said party of the second part or its assigns."

On April 22, 1897, the village trustees received from the company a communication asking for extension privileges in erecting poles and wires in the village. This communication was referred to the electric light committee with instructions to report back at the next regular meeting. No report seems to have been made, however, upon this application, but on November 9, 1897, H. A. Monfort presented a petition for an electric light franchise for a term of 45 years, which was referred to the light committee to report back. On December 29, 1897, the village minutes state that "Counselor Monfort appeared before the board and asked that a franchise be granted to the Jamaica Electric Light Company as per petition as heretofore presented." The committee reported unfavorably and on motion to grant the franchise the vote stood three yeas and three nays. The president thereupon voted "No" and declared the resolution lost. Two days later, December 31, 1897, the last day before the consolidation of the village with the City of New York, an attempt was made to rescind the action taken on December 29th relative to the electric light franchise. The vote on the resolution to rescind again stood three yeas and

three nays. The president again voted "No" and declared the resolution lost.

It appears, therefore, from an examination of the public records, that the Jamaica Electric Light Company never received a franchise for private lighting from the old village of Jamaica. Nothing has been found to indicate that the electric lighting franchise secured by the Jamaica Gas Light Company in 1887 was ever transferred by that company directly or indirectly to the Jamaica Electric Light Company.

9. *Richmond Hill Franchise.*—The minutes of the board of trustees of the village of Richmond Hill show that on December 7, 1896, "a petition from the Jamaica Electric Light Company was read and on motion of Trustee Magee seconded by Trustee Haynes for the purpose of granting permit for the erection of poles on Broadway from the easterly to the westerly line of the village, and was referred to the road committee with power to grant the permit." The minutes of the village trustees for December 14, 1896, recite that "Chairman Magee of the Road Committee, reported as to the permit granted to the Jamaica Electric Light Company and that the poles had been placed on Broadway."

XVII. Corporate History of New York and Queens Electric Light & Power Company, and its Predecessors.

The present operating company in the first four wards of the Borough of Queens is the successor by purchase, merger or otherwise of eight incorporated companies and one partnership, organized for the purpose of doing an electric lighting business in one portion or another of the district covered by the present company's operations. The New York and Queens Electric Light and Power Company was incorporated July 21, 1900, under article VI of the Transportation Corporations Law, and its declared objects were "manufacturing and using electricity for producing light, heat or power and in lighting streets, avenues, public parks and places and public and private buildings of cities, villages and towns within this State, as follows: Within the County of Queens and County of Nassau."

On July 25, 1900, four days after the filing of its certificate of incorporation, this company absorbed by merger the New York

and Queens Gas and Electric Company. Two days later, July 27, 1900, it merged the Jamaica Electric Light Company and the Electric Illuminating and Power Company of Long Island City; and finally, on May 28, 1903, it merged the Long Island Illuminating Company.

The New York and Queens Gas and Electric Company was incorporated June 12, 1899, under Article VI of the Transportation Corporations Law, for the purpose of supplying gas for lighting streets and public and private buildings in the City of New York, and manufacturing and using electricity for light, heat and power in public and private places in that city. It declared its intention to operate in the City of New York within the County of Queens. On June 17, 1899, five days after this company had filed its certificate of incorporation, it absorbed by merger the Newtown Light and Power Company, the New York and Queens Light and Power Company and the Flushing Gas and Electric Light Company. On November 4, 1899, the company acquired by purchase from Thomas W. Stephens the franchise and possibly also some of the physical property formerly held by the Newtown Electric Light and Power Company, a New Jersey corporation, and by the Newtown Electric Light Company, its predecessor, a New York partnership.

The Newtown Electric Light Company was a partnership, composed of three men, among whom John A. Seely was the dominating spirit. The Newtown Electric Light and Power Company was a corporation organized under the laws of the state of New Jersey, May 25, 1892, by Mr. Seely, who held practically all the shares of its capital stock. So far as we have been able to determine by a search among the records in the Secretary of State's office this company never filed with that official a statement of its intention to do an electric lighting business in this state, as was required by the law in the case of a foreign electrical corporation. This company went into a receiver's hands about two years after the date of its incorporation, and its property was sold to individuals in 1894. By various assignments it is claimed that the right to its franchise was finally transferred through Thomas W. Stephens to the New York and Queens Gas and Electric Company on November 4, 1899, as already set forth.

The Newtown Light and Power Company was incorporated May 18, 1895, under the Transportation Corporations Law, for the purpose of generating and supplying electricity for power, light and heat in public and private places. The company proposed to operate in the town of Newtown, Queens County. It was organized by Francis McKenna of Maspeth, who at about the same time received a franchise from the town of Newtown.

The New York and Queens Light and Power Company assumed that name by permission of the Supreme Court April 12, 1898. The company was originally incorporated January 9, 1890, as the Flushing Electric Light and Power Company. It was incorporated under the General Manufacturing Corporations Law of February 17, 1848, and its amendments. It was to operate in the town of Flushing in the County of Queens.

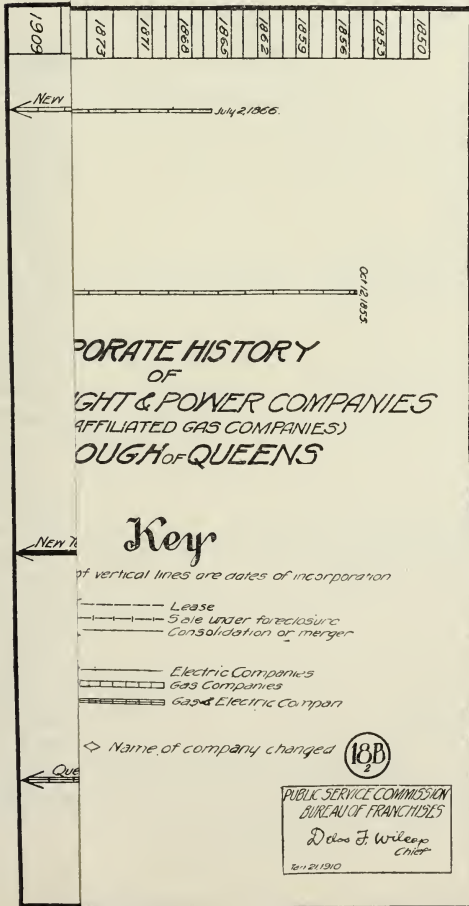
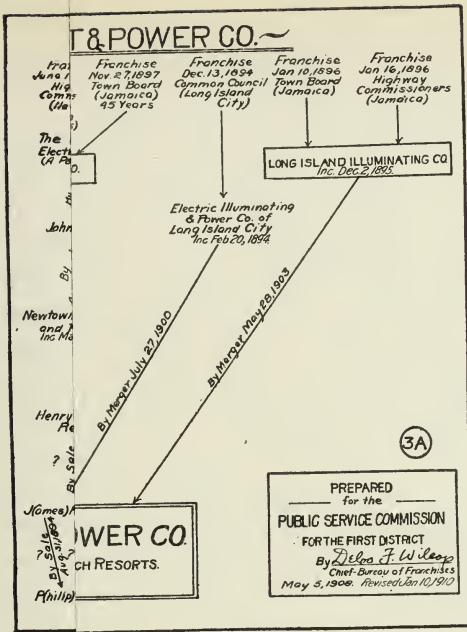
The Flushing Gas and Electric Light Company was incorporated June 11, 1897, under Article VI of the Transportation Corporations Law. It was to operate in the village and town of Flushing, Queens County. There was also a clause in its certificate of incorporation authorizing this company to purchase and hold stocks of any other corporation and to issue its own stocks in exchange therefor. It appears that this company never did an electric lighting business, but succeeded to the gas lighting business of the original Flushing Gas Light Company. About a year after the company's merger into the New York and Queens Gas and Electric Company the latter assigned the Flushing gas business to the Whitestone Gas Company, which in turn assigned it a few days later to the Newtown and Flushing Gas Company, predecessor of the present New York and Queens Gas Company. The testimony and records show that it was only during the brief period between June 17, 1899, and July 6, 1900, that the gas and electric business in Flushing was carried on by one company. Before the earlier date and since the later date the electric lighting business of the New York and Queens Electric Light and Power Company and its predecessors has been kept distinct from the supply of gas.

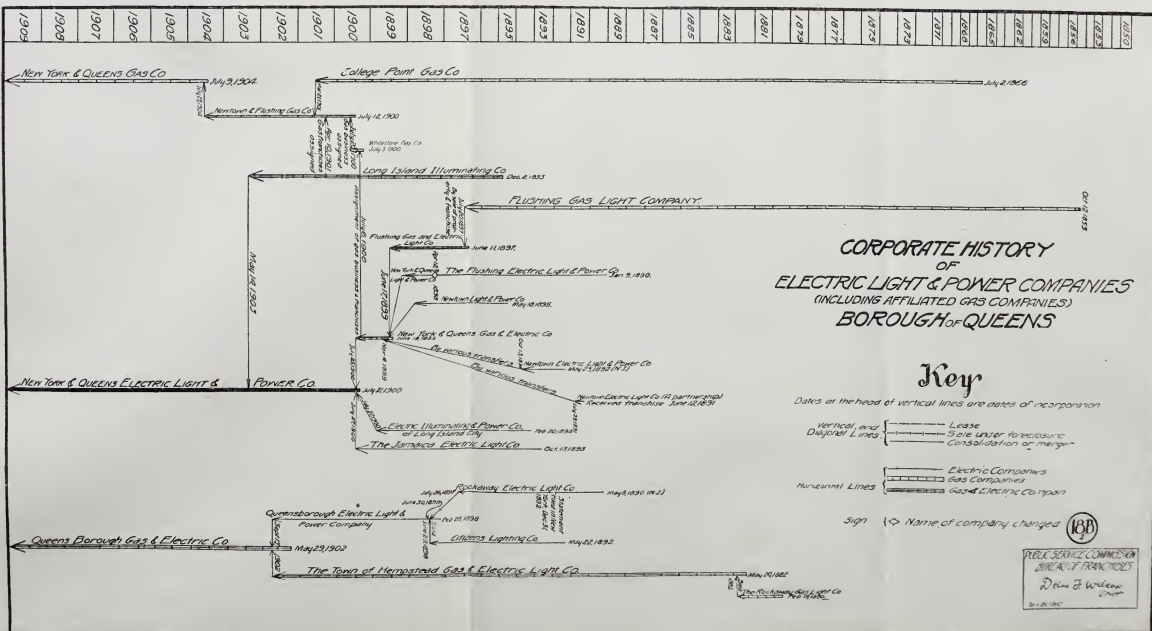
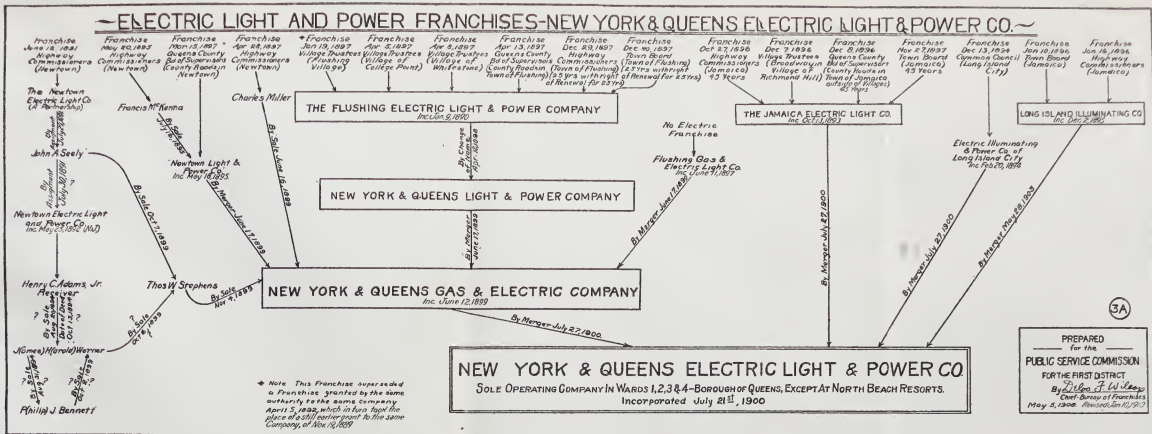
The Jamaica Electric Light Company was incorporated October 13, 1893, under Article VI of the Transportation Corporations Law, for the purpose of manufacturing and using electricity for

light, heat and power in public and private places. Its purpose was to operate in the town of Jamaica, Queens County. This company appears to have been organized to take over the public lighting contract in the village of Jamaica held by John N. Williamson, who was the first president of the company, although not named in the certificate of incorporation as one of the original directors. No record has been found showing that this company succeeded to the franchise of the Jamaica Gas Light Company or permanently acquired any of that company's property except its poles. In view of the fact, however, that the electric lighting business was first carried on in Jamaica by the Jamaica Gas Light Company it may be desirable to note that this company was incorporated June 2, 1856, under the Gas Corporations Act of 1848, for the purpose of supplying and manufacturing lighting gas, and that its declared purpose was to operate in the town of Jamaica, Queens County. This company is still operating, although it is now a subsidiary of the Brooklyn Union Gas Company, and receives from the latter its supply of gas for distribution.

The Long Island Illuminating Company was incorporated December 2, 1895, under Article VI of the Transportation Corporations Law for the purpose of manufacturing and supplying lighting gas and manufacturing and using electricity for light, heat and power in public and private places. Its declared purpose was to operate in the town of Flatlands, Kings County, and the town of Jamaica, and the villages of Richmond Hill and Jamaica in the County of Queens. This company, as already stated, received a franchise for both gas and electricity from the local authorities of the town of Jamaica in January, 1896. To what extent, if any, this company ever engaged in active operation is not clear. This company was leased to the New York and Queens Electric Light and Power Company March 22, 1901, and was merged with the latter May 28, 1903, but the control of the company had been purchased some time before that, possibly several years.

The Electric Illuminating and Power Company of Long Island City was incorporated February 20, 1894, for the purpose of manufacturing and using electricity for light, heat and power in pub-





lic and private places. It was stated as the company's purpose to operate in the city of Long Island City, the town of Newtown or other towns in Queens County. Among the first directors as set forth in the company's certificate of incorporation were Cord Meyer of Maspeth and Edward A. Maher of New York City. The company's capital stock was fixed originally at \$50,000, but was increased on September 6, 1895, to \$150,000, and again on August 18, 1897, to \$500,000. The company was finally merged, on July 27, 1900, into the New York and Queens Electric Light and Power Company. This company's gas franchises were transferred April 10, 1901, by perpetual lease to the Newtown and Flushing Gas Company, predecessor of the New York and Queens Gas Company.

For the purpose of setting forth in a graphical way the history of the companies described in this section the accompanying chart entitled "Corporate History of Electric Light & Power Companies — Borough of Queens," has been prepared.

XVIII. Existing Rights and Obligations of the New York and Queens Company.

So far as our investigations show, the New York and Queens Electric Light and Power Company now owns the following electric light franchises:

- (1) Franchise granted by the Common Council of Long Island City December 13, 1894, to the Electric Illuminating and Power Company of Long Island City. This is the only franchise claimed by the present company for the First Ward of the Borough of Queens.
- (2) Franchise granted June 12, 1891, by the Highway Commissioners of the town of Newtown to the Newtown Electric Light Company. This franchise, which is claimed through a chain of assignments described in detail in Exhibit V, covers Ward 2 of the Borough of Queens.
- (3) Franchise granted May 20, 1895, by the Highway Commissioners of the town of Newtown to Francis McKenna. This franchise, which was acquired through the Newtown Light and Power Company, also covers Ward 2 of the Borough of Queens.
- (4) Franchise granted March 15, 1897, by the Board of Supervisors of Queens County to the Newtown Light and Power Company. This franchise covers the old county roads in the town of Newtown, now Ward 2 of the Borough of Queens.
- (5) Franchise granted April 28, 1897, by the Highway Commissioners of the town of Newtown to Charles Miller. This grant, which was acquired through the New York and Queens Gas and Electric Company, also covers Ward 2 of the Borough of Queens.

- (6) Franchise granted December 29, 1897, by the Highway Commissioners of the town of Flushing, and December 30, 1897, by the Town Board of the town of Flushing, to the Flushing Electric Light and Power Company. This grant, which was acquired through the New York and Queens Gas and Electric Company, covers all that portion of Ward 3 of the Borough of Queens outside of the former incorporated villages of Flushing, Whitestone and College Point.
- (7) Franchise granted April 13, 1897, by the Board of Supervisors of the County of Queens to the Flushing Electric Light and Power Company. This grant, which was also acquired through the New York and Queens Gas and Electric Company, covers the old county roads in the town of Flushing, now Ward 3 of the Borough of Queens, including the county roads in the former incorporated villages of Flushing, College Point and Whitestone.
- (8) Franchise granted January 19, 1897, by the Board of Trustees of the village of Flushing to the Flushing Electric Light and Power Company. Prior to this date two franchises had been granted by the same authority to the same company. One of these was an experimental grant, dated November 19, 1889, which was followed by a permanent grant on April 2, 1892. These old grants seem to have been superseded, however, by the grant of January 19, 1897. This franchise, which was acquired through the New York and Queens Gas and Electric Company, covers that portion of Ward 3 of the Borough of Queens which was included in the old village of Flushing.
- (9) Franchise granted April 5, 1897, by the Board of Trustees of the village of College Point to the Flushing Electric Light and Power Company. This grant, which was acquired through the New York and Queens Gas and Electric Company, covers that portion of Ward 3 of the Borough of Queens formerly included in the village of College Point.
- (10) Franchise granted April 8, 1897, by the Board of Trustees of the village of Whitestone to the Flushing Electric Light and Power Company. This grant, which was acquired through the New York and Queens Gas and Electric Company, covers that portion of Ward 3 of the Borough of Queens formerly included in the village of Whitestone.
- (11) Franchises granted January 19, 1896, by the Town Board of the town of Jamaica, and January 16, 1896, by the Highway Commissioners of the town of Jamaica, to the Long Island Illuminating Company. These franchises, which were acquired directly through the merger of the grantee, cover that portion of the old town of Jamaica (Ward 4 of the Borough of Queens) outside of the villages of Jamaica and Richmond Hill.
- (12) Franchises granted October 27, 1896, by the Highway Commissioners of the town of Jamaica, and November 26, 1897, by the Town Board of the town of Jamaica, to the Jamaica Electric Light Company. These franchises, which were acquired through the merger of the grantee, cover that portion of the old town of Jamaica (Ward 4 of the Borough of Queens) outside of the villages of Jamaica and Richmond Hill.

- (13) Franchise granted December 8, 1896, by the Board of Supervisors of Queens County to the Jamaica Electric Light Company. This franchise, which was acquired directly through the merger of the grantee, covers the old county roads of the town of Jamaica (Ward 4 of the Borough of Queens) outside of the incorporated villages of Jamaica and Richmond Hill.
- (14) Franchise granted December 7, 1896, by the Board of Trustees of the village of Richmond Hill to the Jamaica Electric Light Company. This grant, which was acquired directly through the merger of the grantee, covers that portion of the street known as Broadway lying within the limits of the old village of Richmond Hill.

All of these franchises are unlimited as to time, except as follows:

The franchises granted December 29 and December 30, 1897, by the local authorities of the town of Flushing were for an original period of 25 years, with the right of renewal for another period of 25 years.

The franchises granted October 27, 1896, and November 26, 1897, by the town authorities of the town of Jamaica to the Jamaica Electric Light Company were for a period of 45 years.

The franchise granted December 8, 1896, by the Board of Supervisors of Queens County for county roads in the town of Jamaica was for 45 years.

Several very interesting points have developed in the investigation and in the testimony at the hearings relative to the rights and obligations of the present operating company under the various franchises held by it. The company's franchise in Long Island City is simple and comprehensive. It imposes no obligation whatever upon the company except that if the locations of its fixtures are deemed prejudicial to the city the fixtures must be removed to other convenient locations designated by the Commissioner of Public Works.

The company claims three general franchises for the Second Ward of the Borough of Queens, and one franchise for the county roads in that district. Of these the old Newtown Electric Light Company (Seely) franchise is limited to "electricity for light only." This grant was to be forfeited unless operation was commenced within one year. No proof has been shown that this requirement was fulfilled, except the fact that a pole line was actually constructed and operation carried on at one time under this franchise. There was no provision in the McKenna and Miller

franchises requiring that operation should be commenced within a certain specified time.

While the validity of the present company's claim to the right to operate under the original Seely (Newtown Electric Light Company) franchise of 1891 might be called into question either on the ground of non-user or on the ground of defective title, or on the ground that the grant was limited to electricity for lighting purposes, the matter is of no practical importance for the reason that the company has other franchises covering the same territory. These franchises are broad in their terms, unlimited as to time and impose practically no obligations upon the company except very meagre ones relative to the opening of the streets. The county road franchise for Newtown required the filing of a \$5,000 bond, to be approved by the Board of Supervisors. A similar obligation was required in connection with a number of other of the town and village franchises now held by this company. The records show, however, that these bonds were originally filed as required, but there is no evidence that they have been renewed.

The provisions of the franchises acquired from the town of Flushing and from the several villages located in the town of Flushing were considerably more elaborate than those of the Long Island City and Newtown franchises. In all the villages there was a stipulation that operation should be commenced within a certain specified time. There were also provisions in the village franchises requiring the company to give one free light for every 10 lights paid for by the village.

The College Point and Whitestone franchises provided that public lights should be furnished at the lowest rates at which similar lights and service were furnished to other consumers. The College Point franchise further specified that these rates should not exceed rates charged in the villages of Flushing and Whitestone. The Whitestone franchise provided that these rates should not exceed rates charged in the village of Flushing and should not exceed the rates specified in a statement filed by the president of the company with the village trustees. For private lighting, also, rates were limited to the rates charged in the village of Flushing.

The town of Flushing franchise is perhaps the most unsatisfactory, from the standpoint of the public, of any of those held by the New York and Queens Electric Light and Power Company. It

was granted in the rush hours just preceding the date of consolidation. While the franchise is limited to a period of 25 years, with a right to renewal for 25 years more on a fair revaluation by a board of appraisers, the clause relative to the manner of making the appraisal is unsatisfactory. It provides that the company and the city shall each appoint an appraiser and that these two shall appoint a third, but that if they fail for a period of ten days to agree upon the third appraiser, then the *company* shall have the right to designate the president of some bank or trust company, who shall appoint all three appraisers. There is another queer clause in this franchise to the effect that the rates charged by the company shall not exceed the rates charged for similar service by other companies operating in the town of Flushing. Inasmuch as no other company ever did operate in the town and perhaps never will, the futility of this provision is apparent.

The company has two franchises covering that part of the town of Jamaica outside of the villages of Jamaica and Richmond Hill, acquired through the Jamaica Electric Light Company and the Long Island Illuminating Company respectively. In fact each of these predecessor companies received grants both from the Highway Commissioners and from the Town Board, but the grant from the Town Board is regarded as superfluous, or at least nothing more than confirmatory of the Highway Commissioners' grant. The franchise acquired from the Jamaica Electric Light Company is limited to 45 years, but there is no limitation upon the Long Island Illuminating Company grant. The Jamaica Electric Light Company's grant further provides that if the company's poles are not used for a period of three months they are to be removed within 60 days after notice has been given by the public authorities. It is stipulated in both franchises that the electric light furnished shall be of "due and adequate force, sufficiency and candle power."

Tables V, VI, and VII give a graphical analysis of the provisions of this company's franchises, and the history of their transfer is shown on the accompanying chart* entitled "Electric Light and Power Franchises—New York and Queens Electric Light and Power Company."

*See insert opposite p. 319, *ante*.

TABLE V.—ANALYSIS OF ELECTRIC LIGHT FRANCHISES OF THE NEW YORK AND QUEENS ELECTRIC LIGHT AND POWER COMPANY IN LONG ISLAND CITY AND NEWTOWN.

Original grantee...	The Newtown Electric Light Co. (a co-partnership).	Francis McKenna.	Newtown Light & Power Co.	Charles Miller...	Electric Illuminating and Power Co. of Long Island City.
Date of franchise...	June 12, 1891...	May 20, 1895...	March 15, 1897..	April 28, 1897...	Dec. 13, 1894.
Local authority...	Highway commissioners.	Highway commissioners.	Board of supervisors.	Highway commissioners.	Common council.
Action by mayor...	.....	.....	.....	.....	Approved.
Territory covered..	Town of Newtown.	Town of Newtown.	County roads in town of Newtown.	Town of Newtown.	Long Island City.
Area.....	33 square miles..	33 square miles..	.....	33 square miles..	7½ square miles.
Population of district in 1910.	105,219.....	105,219.....	.....	105,219.....	61,763.
Scope of franchise..	Electricity for light only.	Electricity for light, heat or power.	Electricity for light, heat and power.	Electricity for light, heat or power.	Electric lights and power.
When operation required to begin.	Within one year from date of grant.	.....	.....	.....	.....
Poles.....	To be erected so as not to interfere with public travel.	.....	.....	.....	If locations are deemed prejudicial to city, poles to be removed to other convenient locations designated by commissioner of public works.
Excavations in the streets.	.....	Required to restore streets to as good condition as before within reasonable time after opening.	Subject to limitations imposed by county engineer.	Streets opened to be restored to as good condition as before within a reasonable time.	.....
Right to inspect and supervise street work reserved.	"All process construction" under jurisdiction of highway commissioners.	.....	Streets opened must be restored without unreasonable delay to the satisfaction of county engineer and board of supervisors.	.....	.....
Indemnity bond required.	Bond of \$5 000 to be filed at county clerk's office.	.....	Bond of \$5,000 for faithful performance of franchise, to be approved by board of supervisors.	.....	.....
Grantee's "successors or assigns" recognized.	No.....	Yes.....	Yes.....	Yes.....	No.
Number of times franchise has been transferred.	Eight.....	Three.....	Two.....	Two.....	One.

TABLE VI.—ANALYSIS OF ELECTRIC LIGHT FRANCHISES OF THE NEW YORK AND QUEENS
ELECTRIC LIGHT AND POWER COMPANY IN WARD THREE, BOROUGH OF QUEENS (FLUSHING).

Original grantee...	Flushing Electric Light and Power Co.	Flushing Electric Light and Power Co.	Flushing Electric Light and Power Co.	Flushing Electric Light and Power Co.	Flushing Electric Light and Power Co.
Date of franchise...	Jan. 18, 1897...	April 5, 1897....	April 8, 1897....	April 13, 1897...	Dec. 29 and 30, 1897.
Local authority....	Board of village trustees.	Board of village trustees.	Board of village trustees.	Board of supervisors of Queens county	Highway commissioners Dec. 29, town board, Dec. 30.
Territory covered..	Village of Flushing.	Village of College Point.	Village of Whitestone.	County roads in town of Flushing including villages.	Town of Flushing outside of incorporated villages.
Area.....	1.65 square miles	1.9 square miles.	2.1 square miles..	.....	28.8 square miles
Estimated population of district in 1910.	15,366.....	8,563.....	4,030.....	.....	9,212.
Duration of franchise.	.....	May be revoked after three months if operation has not been begun.	.....	.....	26 years with right to renewal for 25 years on fair revaluation by board of appraisers.
Scope of franchise..	.....	Electric light and power.	Electric light and power.	Electricity for lights, heat and power.	Electricity for lights, heat and power.
When operation required to begin.	.....	Within three months from date of grant.	Pole line to be constructed within three months and current to be supplied within one month thereafter.	.....	.....
Free lighting.....	One free light for every ten lights paid for by the village.	One free light for every ten lights paid for by the village.	One free light for every ten lights paid for by the village.	.....	.....
Maximum rates for public lighting.	.....	Lowest rates at which similar lights and service are furnished to other consumers in village, and not to exceed rates in Flushing and Whitestone.	Lowest rates at which similar lights and service are furnished to other consumers in village, and not to exceed rates in Flushing and not to exceed rates specified in statement filed by president of company.	.....	Not to exceed rates charged for similar service by other companies in town of Flushing.
Maximum rates for private lighting.	.....	No higher rates than are charged for similar service in villages of Flushing and Whitestone.	Not to exceed rates in village of Flushing.	.....	Not to exceed rates charged for similar service by other companies in town of Flushing.

TABLE VI.—ANALYSIS OF ELECTRIC LIGHT FRANCHISES OF THE NEW YORK AND QUEENS ELECTRIC LIGHT AND POWER COMPANY IN WARD THREE, BOROUGH OF QUEENS (FLUSHING).
(Continued).

Obligation to supply electricity.	Must supply street lights as directed by Board of Trustees.	Must supply street lights as directed by Board of Trustees.	Must furnish street lights as directed by Board of Trustees.	.....	.....
Right to regulate service reserved.	Grantee must comply with "lawful regulations and ordinances" adopted for public safety.	Grantee must comply with "lawful regulations and ordinances" adopted for public safety.	Grantee must comply with "lawful regulations and ordinances" adopted for public safety.	.....	Grantee must keep plant in good condition. On failure to obey lawful requirement of town, things may be done by town authorities at grantee's expense.
Poles.....	To be of material and pattern approved by street committee.	Material, pattern and location to be approved by street committee. To be repaired and renewed when required by village authorities for public safety.	Material, pattern and location to be approved by street committee. To be repaired and renewed when required by village authorities for public safety.	.....	Location to be determined by highway commissioners.
Wires.....	Subject to lawful regulations as to insulation.	Subject to regulations of village trustees with reference to insulation.	Subject to regulations of village trustees with reference to insulation.	.....	Location to be determined by highway commissioners.
Excavations in the streets.	Cannot be begun without permit from officer designated by trustees.	Must not be begun without permit from officer designated by trustees.	Must not be begun without permit from officer designated by trustees.	Subject to consent of county engineer.	Streets to be restored to previous condition without unreasonable delay.
Right to inspect and supervise street work reserved.	Poles and wires to be repaired and renewed when reasonably required by village authorities for public safety.	.....	.....	Under direction of county engineer.	Replacing streets to be "satisfactory" to highway commissioners. Streets not to be disturbed without permit from highway commissioners.
Indemnity bond required.	Bond of \$5,000 to protect village from damages to be renewed as required.	Bond for \$5,000 with sureties, approved by trustees for performance of franchise conditions and to indemnify village against loss.	Bond for \$5,000 with sureties, approved by trustees for performance of franchise conditions and to indemnify village against loss.	Bond for \$5,000 to be filed with clerk of board for performance of franchise conditions.	.....
Maintenance of plant.	.....	.....	.....	.....	Grantee must adopt improvements from time to time, necessary for efficient service at reasonable rates, and must maintain its property in good condition

TABLE VI.—ANALYSIS OF ELECTRIC LIGHT FRANCHISES OF THE NEW YORK AND QUEENS
ELECTRIC LIGHT AND POWER COMPANY IN WARD THREE, BOROUGH OF QUEENS (FLUSHING
—(Concluded).

Acceptance of franchise required.	Must be filed in writing within thirty days.	Must be filed in writing with village clerk within thirty days after date of grant.	Must be filed in writing with village clerk within thirty days after date of grant.	.....	To be filed with town clerk by Dec. 31, 1897.
Grantee's "successors or assigns" recognized.	No.....	Yes.....	Yes.....	Yes.....	Yes.
Number of times franchise has been transferred.	Three.....	Three.....	Three.....	Three.....	Three.

TABLE VII.—ANALYSIS OF ELECTRIC LIGHT FRANCHISES OF THE NEW YORK AND QUEENS ELECTRIC LIGHT AND POWER COMPANY IN WARD FOUR, BOROUGH OF QUEENS (JAMAICA).

Original grantee...	Jamaica Electric Light Co.	Jamaica Electric Light Co.	Jamaica Electric Light Co.	Long Island Illuminating Co.	Long Island Illuminating Co.
Date of franchise...	Oct. 27, 1896, and Nov. 26, 1897.	Dec. 8, 1896....	Dec. 7 and 14, 1896.	Jan. 10, 1896..	Jan 16, '86.
Local authority...	Highway commissioners Oct. 27, 1896; town board Nov. 26, 1897.	Board of supervisors of Queens county	Board of village trustees, Richmond Hill.	Town board....	Highway commissioners.
Territory covered..	Town of Jamaica outside villages of Jamaica and Richmond Hill	County roads in town of Jamaica, outside of villages of Jamaica and Richmond Hill	Broadway in village of Richmond Hill.	Town of Jamaica.	Town of Jamaica outside of incorporated villages.
Area.....	52.7 square miles.	.....	.....	52.7 square miles.	52.7 square miles.
Estimated population of district in 1910.	37,245.....	.....	.....	37,245.....	37,245.
Duration of franchise.	45 years from date.	45 years from date.	.....	.....	.....
Scope of franchise..	Electricity for producing light, heat and power.	Electricity for the purpose of light, heat and power.	Erection of poles.	Electricity for light, heat and power.	Electricity for producing light, heat and power.
When operation required to begin...	By Dec. 15, 1896, unless time is extended. Delays caused by strikes, legal proceedings, etc., to be allowed for.	By Dec. 15, 1896, unless time is extended. Delays caused by strikes, legal proceedings, etc., to be allowed for.	.....	.....	.....
Maximum rates for public and private lighting.	Rates shall be "fair and reasonable."	Rates shall be "fair and reasonable."	.....	.....	.....
Obligation to supply electricity.	Must instal a "due and proper improved electric plant" within the town.	Must instal a "due and proper improved electric plant" within the town.	.....	.....	.....
Right to regulate service reserved..	Electric light must be of "due and adequate force, sufficiency and candle power."	Electric light must be of "due and adequate force, sufficiency and candle power."	.....	.....	Electric light must be of "due and adequate force, sufficiency and power;" not less than 19 candle power for every incandescent light.
Poles.....	If not used for three months to be removed within sixty days after notice from town authorities.	If not used for three months to be removed within sixty days after notice from county engineer.	.....	.....	.....

TABLE VII.—ANALYSIS OF ELECTRIC LIGHT FRANCHISES OF THE NEW YORK AND QUEENS ELECTRIC LIGHT AND POWER COMPANY IN WARD FOUR, BOROUGH OF QUEENS (JAMAICA).
— (Concluded).

Wires.....	Grantee to use "all and every precaution usually taken by light companies" in insulation, stringing, etc.	Grantee to use "all and every precaution usually taken by light companies" in insulation, stringing, etc.	.....	.....	Grantee must use "every precaution usually taken by like companies" in installation, stringing, etc.
Excavations in streets.	Streets not to be unreasonably obstructed; to be replaced in proper order without unreasonable delay.	Subject to supervision of county road engineer, and Board of Supervisors.	.....	Streets to be restored to satisfaction of proper authorities.	No unnecessary obstructions; streets to be replaced in proper order without unreasonable delay.
Right to inspect and supervise street work reserved.	Subject to supervision of highway commissioners.	.....	.....	Grantee fails to replace pavements properly work may be done by public authorities at grantee's expense.	Under supervision of highway commissioners.
Indemnity bond required.	.....	.....	.....	.....	Grantee must "agree to hold the town harmless" from damages under grantee's operations.
Acceptance of franchise required.	Franchise conditioned upon acceptance in writing.	.....	.....	.....	Franchise conditioned upon a written acceptance.
Date of filing acceptance.	Oct. 27, 1896; Nov. 27, 1897.	.....	.....	.....	Jan. 16, 1896.
Grantee's "successors or assigns" recognized.	"Assigns" referred to in one provision.	"Assigns" referred to in one provision.	No.....	No.....	No.
Number of times franchise has been transferred.	One.....	One.....	One.....	One.....	One.

The most interesting questions that have arisen relative to the franchise rights of the New York and Queens Electric Light and Power Company refer to their rights in the old villages of Jamaica and Richmond Hill. The only franchise which the company can show for either of these villages is the grant of December 7, 1896, authorizing the Jamaica Electric Light Company to erect poles on Broadway in Richmond Hill. The history of the franchises and public lighting contracts of the village of Jamaica has already been given in detail. The company furnished none of this information, either in the documents filed with the Commission or in the testimony at the hearings. In

the absence of definite franchise grants the company maintained first that it enjoyed *franchises by acquiescence*; second, that most of the streets in Richmond Hill and a very large number of those in Jamaica were private streets, upon which it was operating on the strength of the consents of the property owners; and third, that in any case Broadway and the county roads constituted the principal thoroughfares of the two villages and were covered by definite grants.

In regard to the third claim, it is to be noted that the grant of the Board of Supervisors of December 8, 1896, for county roads in the town of Jamaica was peculiar in that it was expressly limited to the county roads outside of the incorporated villages.

In regard to the second claim, it should be said that the Bureau of Franchises has made a special investigation into the status of the streets in the two villages, and while the complete records which are now being collected for the Topographical Bureau of the Borough of Queens are not as yet available the evidence found by the Bureau demonstrates that probably three-fourths of the streets in both villages were public streets prior to the date of consolidation, and were undoubtedly public streets at the time when the electric light lines were established in them. On the supposition, however, that a company established its lines in a private street which was afterwards dedicated to public use the question would arise as to whether or not the company would thereupon require a franchise from the public authorities. In discussing this point in reference to the operations of the Bowery Bay Electric Light and Power Company in private streets at North Beach, Mr. Matthewson, counsel for the New York and Queens Electric Light and Power Company, gave his views at pages 1590 and 1591 of the printed record, as follows:

“Q. Supposing that the companies are operating crossing private streets, and furnishing various parties with electric lights, would you contest their right to do so in the absence of having public franchise? A. Do you mean would my company contest their right?

“Q. Yes. Would you claim that they have no right to operate, providing they did not cross public streets? A. Oh, no. They have a right to operate on private property. I think under the charter from the state, any electric company has a right to run an individual plant on private property. It only requires, in my view, a public franchise in case it crosses public streets, or endeavors to use public places in any way. That is our view.

"Q. In case these streets were opened, dedicated, and made public streets—
A. (Interrupting) They could not then be crossed.

"Q. If they were already crossed; if the company had its wires already running across those streets, would the mere fact of the dedication of those streets require them to remove their wires, or to get a franchise? A. I think so. I think so. It was decided in the Deehan case, I think, that a grant of franchise to a company to use the streets of a village or town—I think it was a town in that case—was sufficient to authorize the use of the streets of a village, after a village was carved out of that territory, and even streets which were opened up by the village afterwards, and dedicated, although they did not exist originally, or when the village was carved out. And, turning that about, I would suppose that when a street became a public street, and was dedicated to the city, that it would require a franchise then to use it, although that is a good deal of a question to answer as to wires which have been actually set and poles placed."

This testimony referred to the possible claims of a rival company. When the same question was brought up at a later point where the rights of Mr. Matthewson's own company were involved in Richmond Hill, he testified as follows (pages 1605 and 1606):

"Q. I suppose, then, if these streets were later dedicated to the public, and became public streets officially, the same question would arise that arose in connection with the rights of the Bowery Bay Electric Light & Power Company, and the North Beach Electric Light & Power Company, that I asked about a few months ago— A. Yes. The same question would arise, and it would be a question requiring examination, which would prevent me expressing a definite opinion offhand. I may say in the case of the Richmond Gas Company, settled in *People ex rel. Richmond Gas Company* against *Cromwell*, 89 App. Div., I think, it was held substantially that acquiescence in the general exercise of power, exercise of use of the streets or municipal towns in that case, resulted in a general franchise, so that the public authorities could even be mandamusd to give authority to enter streets which had not up to that time been entered by the company.

"Q. That was an Appellate Division case, Mr. Matthewson? A. Yes, sir.

"Q. It never was appealed? A. No; it was never appealed. It seems it was accepted by the city, and I think by everybody."

The company's first claim relative to acquiescence is most interesting, especially in the light of the fact, of which, to all appearances, Mr. Thomas, manager of the company, and Mr. Matthewson were totally ignorant, that the company made a strenuous effort to secure a franchise from the village trustees

of Jamaica just prior to consolidation, and that its application was twice rejected. The acquiescence claim was first presented to the Commission in a letter from Mr. Thomas dated April 20, 1908, the body of which is as follows:

"Referring to blue prints of franchise rights of the New York and Queens Electric Light and Power Company in the Borough of Queens, we find and present herewith a written consent in the village of Richmond Hill in Jamaica.

"This, and also the consents specified in the blue prints, cover only 'written' consents, so to speak, of the municipal authorities; but the statute does not require that the consent shall be 'written,' or by formal resolution, or evidenced in any other special manner, and an oral consent or one evidenced by acquiescence by the municipal authorities in the placing and operation of conductors in the streets is equally good (*People ex rel. Richmond Gas Co. v. Cromwell*, 89 A. D. 291; *Matter of Attorney General*, 56 Misc. 49, since affirmed by Appellate Division).

"In other words, the authorities of a village or town can not stand by and permit without objection the expenditure of great sums of money in establishing and equipping a plant and distribution system through its streets for the service and convenience of the public, and then render the investment valueless by declaring that their 'consent' is not evidenced in some written or other special form. The municipality in question is estopped in such case from denying the consent, in view of the obvious assent and acquiescence of the authorities thereof.

"The New York and Queens Electric Light and Power Company is operating in every section of the first four wards of the Borough of Queens, not only under the formal resolutions and consents submitted to the Public Service Commission, but also under the consents based on acquiescence by the original towns and villages of the borough. Thus the Jamaica Electric Light Company, our predecessor in interest, built and operated its sole plant within the limits of Jamaica village, and established its poles and wires and furnished electricity throughout that village up to the time of its incorporation into the City of New York, with the certain knowledge of the Board of Trustees and every other officer of the village of Jamaica, and with their complete assent, acquiescence and encouragement. There never has been the slightest question or objection raised to our operation in said village, either by the village of Jamaica originally or by the City of New York since the village of Jamaica was incorporated therein. Indeed, the City of New York has since constantly contracted and now is under contract with us to furnish public light in the streets and buildings of that former village.

"We present this statement in order that the blue print may be considered in its true relation, and that it may not be overlooked that such a schedule is not the true measure of the rights and franchises of this company (or probably any other company to which such blue print might relate)."

On pages 1609 to 1611 of the printed record the following testimony was given by Mr. Matthewson in regard to the company's claims in the village of Jamaica:

"Q. Take the village of Jamaica; how about the village of Jamaica?

A. As I say, the Jamaica Electric Light Company was incorporated in 1893. It was incorporated at the invitation and solicitation of people there who wanted electric light, and our people put their money up and put their property into the streets, and they furnished all the public lighting from that time down, and furnished all the private lighting, and everybody wanted it done, and it was an acquiescence of a very pronounced and ungetawayable kind, and it never was thought of as anything that could be questioned, and I do not know that it could be questioned now. We supposed that it was so firmly fixed that nobody could question it, and nobody there does complain of it; never heard of it. And it would be a very great hardship if it were held that we did not have a right now. As to why we should not conform to that, if you please, by getting a written franchise, is something that we had not considered, because we thought that the situation gave us the consent; that all the authorities that had anything to say had consented. Every village trustee there had the work under his nose every morning, and they paid us for their public lighting right along, year after year. And it is as clean and clear a consent as you could ever find, without formal action of a Board.

"Q. What is the objection to going and getting a franchise? A. I suppose they would want to limit us to 25 years, and I suppose they would want to charge us something great for it. Do we not deliver free lights over there now, one in ten, Mr. Thomas?

"Mr. Thomas: No; I think not.

"The Witness: No. It is another territory. That is the only objection why we should not get it. Why should we go and pay something for something that we have already got?

"Mr. Thomas: The old plant was right in the heart of the village.

"The Witness: Yes. Right there; right in the village, and operating, and in fact it got to be finally, after the Greater City was formed some years later—it got to be so big a plant that they said 'Here, you are making an awful lot of smoke. Can you not get this plant away and furnish us from your Astoria plant?' and we said, 'Yes, we can enlarge that.' And that was largely enlarged. Before getting rid of that smoke nuisance, our people were called before the Magistrate once or twice in regard to it."

XIX. Electric Light Franchises Granted for Ward 5, Borough of Queens.

Prior to January 1, 1898, this territory was a portion of the town of Hempstead, and included three incorporated villages, Far Rockaway (incorporated September 19, 1888), Arverne-by-the-Sea (incorporated September 9, 1893) and Rockaway Beach

(incorporated June 11, 1897). The Queens Borough Gas and Electric Company is the sole operating company for both gas and electricity throughout this district. All franchises covering particular portions or all of this territory granted by the various local authorities from time to time have been acquired or are claimed by the present operating company, with the exception of the Seaside franchise and the Wainwright-Hammell franchises granted by the village of Rockaway Beach.

1. *Town of Hempstead Franchises.*

A. The Taylor franchise, 1887.—On November 21, 1887, a franchise was granted by the town officers of the town of Hempstead to James R. Taylor. This franchise was granted at a joint meeting of the Board of Town Auditors and the Board of Highway Commissioners, and provided that Taylor, his successors and assigns “shall have the privilege of laying, erecting and constructing suitable wires and other conductors with the necessary poles, pipes and other fixtures, still in, on and over, *but not under the traveled portion of any highway*, the streets, avenues, public parks and places of said Rockaway Beach, for the purpose of conducting and distributing electricity for lighting said Rockaway Beach and for lighting the streets, avenues, public parks and places, public and private dwellings, buildings and public and private places of said Rockaway Beach from Norton’s Bridge to the western end of said Rockaway Beach, including Arverne and Oceanus.”

There is a note at the end of the grant stating that the words “but not under the traveled portion of any highway” were interlined before the execution of the document, in place of the words “for the term of fifty years from the date hereof,” erased.

This franchise, which is now claimed by the Queens Borough Gas and Electric Company, covers all of that part of the Fifth Ward of the Borough of Queens not formerly included within the limits of the village of Far Rockaway.

B. The Myers franchise, 1889.—In a communication dated April 8, 1889, addressed to “The Town Authorities of the Town of Hempstead, the Supervisor, Justices of the Peace and the Commissioners of Highways of said Town,” S. R. Myers, of Oceanus, applied for permission to erect and maintain an electric

light and steam power plant, wire and circuit at Rockaway Beach from Norton's Bridge to the west end of the beach, for the purpose of distributing electricity for lighting "on more liberal terms than are at the present time obtainable." On May 2, 1889, at a joint session of the town officers a franchise was granted to Samuel R. Myers, his successors and assigns pursuant to this application. By this franchise the grantees were given the privilege of "laying, erecting and constructing suitable wires and other conductors with the necessary poles, pipes and other fixtures, in, on and over (but not under or over the traveled portion of any highway) the streets, avenues, public parks and places of said Rockaway Beach for the purpose of conducting and distributing electricity for lighting said Rockaway Beach, and for lighting the streets, avenues, public parks and places, public and private dwellings and buildings and public and private places in said Rockaway Beach, from Norton's Bridge to the western end of said Rockaway Beach, including Arverne and Oceanus, under more liberal terms than are now charged for the same, poles to be located subject to the approval of the Highway Commissioners, plant to be erected, and ready to furnish electric light in any part of the within territory required within eighteen (18) months from the date hereof."

2. *Far Rockaway Village Franchises.*—The village of Far Rockaway comprised the eastern portion of the present Fifth Ward of the Borough of Queens.

A. The Rockaway Electric Light Company franchise, 1891.—By resolution of the board of village trustees a franchise was granted May 12, 1891, to the Rockaway Electric Light Company. The company had originally applied for a franchise for both gas and electricity. Two other parties had also applied for franchises at the same time. After the applications had been read and the parties heard, the village board went into executive session, and agreed that it was not advisable to grant a gas franchise at that time, and further agreed that the electric light franchise should be given to the Rockaway Electric Light Company. Thereupon Mr. John A. Seely, representing the company, withdrew the application for gas and the village board passed a resolution grant-

ing an electric light franchise "but excluded motive power on public streets or public places." The grant was made subject also to the following conditions:

"The company supply electric light to any person or corporation deserving same, on or before July 1, '91, that a bond be given in the am't of \$5,000 as liquidated damages, to be filed with the Clerk or the President, and approved of by the Trustees or President before franchise is granted and that agreement or franchise be approved of by the President before going into effect.

"Set poles in all public places under direction of the Trustees or proper Committee of Board, leave streets in good condition and to give continuous service throughout the year, in event of village entering into contract for lighting streets."

No evidence is found in the documents filed with the Public Service Commission to show that the \$5,000 bond required under this franchise was ever filed with the village authorities, or that the franchise itself was approved by the president before going into effect.

B. The Citizens' Lighting Company franchise, 1892.—By resolution of the Board of Trustees of the village of Far Rockaway, adopted April 6, 1892, and said to have been amended at a later date, a franchise was granted to the Citizens' Lighting Company. Under this grant the company was authorized "to erect poles and lay pipes, for the purpose of supplying and distributing electricity for lighting purposes in the village of Far Rockaway in such streets of said village as may from time to time be necessary." Several conditions were attached to this franchise. The company's poles were to be so located as not to interfere with the safety or convenience of the traveling public. Poles were to be set at least five feet deep and to stand at least 25 feet in the air. Wherever lamps were to be hung across the street the poles were to stand 30 feet in the air. Shade trees were not to be trimmed or injured without the consent of the owners, and poles were not to be placed in locations to which the property owners objected. The use of one cross arm on the poles for the maintenance of village wires for the police and fire departments was reserved free of charge.

The company was also authorized by this grant "to lay pipes, conduits and such other apparatus as may be needful for the conduct of its business beneath the surface of such streets as may

have been designated by the trustees of said village" upon the following conditions. The streets were not to be opened for the purpose "of originally laying any such pipes, conduits or wires, without first notifying the village trustees." The company was required to exercise reasonable care in laying and maintaining its conduits and wires, and to comply with the laws of the state and the ordinances of the village relating thereto. The wires for conveying electricity or the conduits containing the wires were to be laid "at the greatest practicable distance from the outside of any water, gas or other pipes now laid down." The company was not to disturb or interfere with water, gas or other pipes or public or private sewers in the streets, and was required to "leave all streets in which they shall have laid their conduits in as good condition and paved with the same material as before their disturbance for the purpose herein related, to refill and repair whenever any trench may sink below the proper level." The company was not to open trenches in excess of 200 feet in any one place at any one time, nor to open them in such manner as wholly to prevent public travel.

It was further stipulated that the company should be ready to supply electric light on or before June 1, 1892, and that the company would furnish to the village arc lights of 1,200 candle-power at a rate not to exceed \$110 each per year for not less than 30 lights. If the village required more lights it was to get them "at not exceeding the same price." The company also agreed to furnish the village, on request, incandescent light of 50 candle power at a price not exceeding \$30 per annum, and agreed to furnish incandescent lights of 16 candle power for household purposes and generally for its consumers at a rate not in excess of \$1 per month per light up to 11 o'clock P. M. and not to exceed \$1.25 up to 1 o'clock A. M., and for all night not to exceed \$1.50 per month. The public lighting service was to be continuous all the year and all night "according to the table adopted by the authorities of the City of New York relative to electric lighting, or as directed and voted upon by the people of the village of Far Rockaway."

The company was required to leave all public streets and places in as good condition as it found them. It was stipulated that the prices mentioned for private consumption should apply to con-

sumers subscribing by the year. In case private consumers wished electric light for less than a year the company was authorized to charge a rate not exceeding 30 per cent in addition to the prices already mentioned.

The grant was conditional upon its being accepted by the company in writing under the company's seal before any work under the franchise should be commenced, and the filing by the company of an indemnity bond in the sum of \$5,000 to guarantee that the conditions of the franchise would be carried out by the company and that electric light would be supplied by June 1, 1892. The franchise was limited to "lighting purposes only," and it was specifically stated that it should "not include motive power in any of the public streets and places in said village."

The franchise was formally accepted by Thomas Henderson, president, and Smith N. Decker, secretary, of the Citizens' Lighting Company on the same date on which it was granted, April 6, 1892. Later, at a date which is not given, it is claimed that the franchise was amended so as to include the right and obligation on the part of the company to furnish electricity for heat and power as well as for light, with the specific proviso that nothing in the grant should "authorize the laying of street railroad tracks."

In support of the claim that the franchise was amended as stated, the Queens Borough Gas and Electric Company has filed with the Public Service Commission an affidavit of Lewis B. Sharp, dated June 23, 1909, in which he states that he is superintendent of the Queens Borough Gas and Electric Company and was general superintendent of the Citizens' Lighting Company from August, 1892, to October, 1894, and again from September, 1897, to March, 1898, when he became general superintendent of the Queens Borough Electric Light and Power Company, successor of the Citizens' Company in operation at Far Rockaway. He states that at some time previous to October, 1894, he was present at a meeting of the village trustees, at which a resolution was passed amending the franchise of April 6, 1892, so as to extend it to cover heat and power, and to prohibit the company from the laying of street railroad tracks. He further states that in the month of June, 1898, in the Newtown town hall he made a copy of this amending resolution, which was then among the official

papers of the former village of Far Rockaway and was in possession of the examiners from the Finance Department of the City of New York, who were then going over the records of the former villages and towns of Queens County.

3. *Rockaway Beach Village Franchises*.—The village of Rockaway Beach, having been incorporated in 1897, several years subsequent to the grant of the Taylor and Myers franchises by the town authorities of the town of Hempstead, was, of course, subject to those grants.

A. The Seaside franchise, 1897.—At a meeting of the Board of Trustees of the village of Rockaway Beach, August 25, 1897, a resolution offered by President J. W. Wainwright was unanimously carried, by which the trustees granted and gave “the right and privilege to the Seaside Amusement Company to erect and maintain electric light poles for operating and supplying electric lights on the following streets: Henry Street, Remsen Avenue, Wainwright Place, Conway Street and Washington Avenue between Conway Street and Henry Street.”

B. The Van Wyck Rossiter franchise and contract, 1897.—On August 31, 1897, the Board of Trustees of the village of Rockaway Beach adopted a resolution giving consent “to Van Wyck Rossiter or his assigns or such corporation as he and such persons as may be associated with him shall organize for such purpose, to lay, erect and construct suitable wires or other conductors with the necessary poles, pipes or other fixtures in, on, over and under the public streets, avenues and public parks of the village of Rockaway Beach in such a manner and under such reasonable regulations as may be from time to time prescribed by the municipal authorities of said village for the purpose of furnishing electric lights and power for stationary motors in private or public buildings, and for no other purpose.” It was specifically provided that the grant should not include any right or privileges for traction purposes, and should not in any way “effect” any right or privileges “heretofore given or hereafter to be given.”

C. The Wainwright-Hammell franchises, 1897.—At the meeting of the Board of Trustees of the village of Rockaway Beach on December 31, 1897, the last day before consolidation with the City of New York, a resolution was unanimously adopted to

the effect that consent "be given to William G. Wainwright of Rockaway Beach, or his assigns, or to such corporations as he and such persons as may be associated with him shall organize for such purpose, to lay, erect and construct suitable wires or other conductors with the necessary poles, pipes or other fixtures in, on, over and under the public streets, avenues and public parks of the village of Rockaway Beach, in such a manner and under such reasonable regulations as may from time to time be prescribed by the municipal authorities of said village, for the purpose of furnishing electric lights and power for stationary motors in private and public buildings west of Holland Avenue." At the same meeting another resolution was unanimously passed granting a similar consent to Louis Hammell of Rockaway Beach, covering the streets, avenues and public parks east of Holland Avenue within the village limits.

It is believed that the franchise granted to William G. Wainwright is now held by the Seaside Electric Light, Heat and Power Company, which was incorporated July 9, 1900, with three Wainwrights as members of its first board of directors. This company operated to a limited extent some years ago, but is now dormant and has failed to file its documents with the Public Service Commission.

4. *Board of Supervisors Franchise, 1897.*—By resolution of the Board of Supervisors of the County of Queens, adopted September 28, 1897, consent was given to Van Wyck Rossiter or his assigns "for the purpose of furnishing current for electric light and power purposes, to lay, erect, construct and maintain suitable wires and other conductors in, on, over and under such part of the county road known as the Boulevard or continuations thereof as is situated within the limits of the town of Hempstead." The work of construction was to be done under the direction of the County Engineer and subject to such reasonable regulations as might be prescribed from time to time by the Board of Supervisors. On account of the changes in the names of streets in the fifth ward it was impossible to identify from the records at hand, throughout its entire course, the county road described as the Boulevard in this franchise. At our request, however, the counsel for the Queens Borough Gas and Electric Company supplied a descrip-

tion of this road in a letter dated September 24, 1909. He states that as the company understands it the road followed the street which is still known as the Boulevard, from Rockaway Park to Norton's Bridge at the westerly boundary of Far Rockaway, and from that point on followed Atlantic Avenue, Sea View Avenue, Cornaga Avenue and Broadway to the Merrick Road in the present town of Hempstead.

XX. Corporate History of the Queens Borough Gas and Electric Company, and Its Predecessors.

The Queens Borough Gas and Electric Company, which is at the present time the sole operating company for both gas and electricity in the Fifth Ward of the Borough of Queens, and also operates in the present town of Hempstead, Nassau County, was incorporated May 29, 1902, under Article VI of the Transportation Corporations Law. Its declared objects were "manufacturing and supplying gas for lighting the streets and public and private buildings of cities, villages and towns in this state, and for manufacturing and using electricity for producing light, heat or power, and in lighting streets, avenues, public parks and places and public and private buildings of cities, villages and towns within this state, and to exercise the power conferred by law upon corporations formed for the purposes and objects aforesaid." The certificate of incorporation also gave the company authority "to purchase, acquire, hold and dispose of the stocks, bonds and other evidences of indebtedness of any corporation, domestic or foreign, and issue in exchange therefor its stock, bonds or other obligations." The amount of its capital stock was fixed at \$2,000,000. Among the directors for the first year appear the names of John L. Lockwood, Jr., and Lewis L. Delafield.

By a certificate filed in the office of the Secretary of State, September 19, 1902, this company merged the Town of Hempstead Gas and Electric Company and the Queens Borough Electric Light and Power Company. The former had been incorporated May 20, 1882, under the Gas Corporations Law of 1848, and its amendments. The amount of its capital stock was fixed at \$125,000. This company claims as the basis of its gas business

a franchise granted by the town of Hempstead, June 15, 1880, to the Rockaway Gas Light Company, and another granted December 15, 1883, also by the town of Hempstead, to John C. Lockwood. The Rockaway Gas Light Company was incorporated February 19, 1880, for the purpose of manufacturing and selling lighting gas at Rockaway Beach and at other points in the town of Hempstead. It is claimed that these gas franchises were acquired by the Town of Hempstead Gas and Electric Company, one of the present company's predecessors. However this may be, it is not claimed that any of the electric lighting privileges of the present operating company within the City of New York were derived through the Town of Hempstead Gas and Electric Company.

The Queens Borough Electric Light and Power Company, which, as already stated, was absorbed by merger by the present company on September 19, 1902, had been incorporated February 28, 1898, for the purpose of manufacturing and supplying both gas and electricity for public and private use in cities, villages and towns of the state, in the counties of Kings, Queens and Suffolk. The amount of the company's capital stock was \$250,000, and on its first Board of Directors appear the names of Van Wyck Rossiter, C. L. Rossiter, T. S. Williams and others. This company sold its property and franchises to the Queens Borough Gas and Electric Company on July 1, 1902, nearly three months prior to the date of merger. This company had acquired by purchase on June 29, 1898, the property and franchises of the Citizens' Lighting Company, of which Van Wyck Rossiter was president, and also during the same year certain electric lighting rights held by Van Wyck Rossiter personally. A portion of Rossiter's rights were obtained by purchase on July 26, 1897, from Philip J. Bennett, receiver of the Rockaway Electric Light Company.

The Citizens' Lighting Company, of which mention has just been made, was incorporated March 22, 1892, for the purpose of manufacturing and using electricity for producing light, heat or power and in lighting streets, avenues, public parks and places and public and private buildings in the town of Hempstead. The amount of the company's capital stock was fixed at \$25,000. It appears to have been an operating company in Far Rockaway

probably until the date of the sale of all its property and franchises, June 29, 1898, to the Queens Borough Electric Light and Power Company. The Citizens' Lighting Company seems never to have been merged by any other company, but in the deed of sale to the Queens Borough Electric Light and Power Company it is stated that "all easements, privileges, franchises and rights both corporate and municipal of every kind" are transferred to the purchaser.

The Rockaway Electric Light Company appears to have been the first company that actually supplied electricity in the Rockaways. It was incorporated for a period of 30 years by John A. Seely and others, under the general laws of the State of New Jersey, by an instrument dated May 8, 1890. On December 31, 1892, the company filed a copy of its certificate of incorporation in the office of the Secretary of State at Albany, with a statement of its intention to do business within the State of New York. This statement was filed by James A. Taylor, treasurer of the company. It appears that the company had already, prior to the date of filing this statement in Albany, been operating in the Rockaways. It had secured a franchise from the village trustees of Far Rockaway on May 12, 1891, and it is claimed by the present company that it had secured the franchise for the Rockaway Beach District granted to Samuel R. Myers on May 2, 1889. This company executed a mortgage to the Central Trust Company of New York, dated November 1, 1890, to secure the issue of \$75,000 of six per cent first mortgage bonds. It appears from the documents filed with the Public Service Commission that on June 30, 1898, when Van Wyck Rossiter agreed to transfer certain property to the Queens Borough Electric Light and Power Company, he claimed to be the owner of at least 80 of the first mortgage bonds of the Rockaway Electric Light Company. According to the testimony of Mr. Carleton Macy, president of the Queens Borough Gas and Electric Company, and the statement of Mr. Eugene D. Hawkins, counsel for the company, these bonds are now owned by the present operating company and the mortgage executed to secure them has never been foreclosed. It appears, therefore, that the Rockaway Electric Light Company

still has independent corporate existence although all its former assets are in the possession of the present operating company.

For a graphic representation of the relationship between the various companies which have contributed to the rights and franchises of the Queens Borough Gas and Electric Company, reference should be made to the chart entitled "Corporate History of Electric Light and Power Companies — Borough of Queens," accompanying a preceding section of this report.*

XXI. Existing Rights and Obligations of the Queens Borough Company.

It can readily be inferred from what has already been said about this company's corporate history that the present status of some of its franchises is somewhat in doubt. The several electric franchises claimed by the company are as follows:

- (1) Franchise granted by the town officers of the town of Hempstead November 21, 1887, to James R. Taylor, covering all of the present Fifth Ward except the former village of Far Rockaway.
- (2) Franchise granted by the town officers of the town of Hempstead May 2, 1889, to Samuel R. Myers, covering the same territory as the preceding.
- (3) Franchise granted May 12, 1891, by the Board of Trustees of the village of Far Rockaway to the Rockaway Electric Light Company.
- (4) Franchise granted April 6, 1892, and amended at a later date, by the Board of Trustees of the village of Far Rockaway to the Citizens' Lighting Company.
- (5) Franchise granted August 31, 1897, by the Board of Trustees of the village of Rockaway Beach to Van Wyck Rossiter.
- (6) Franchise granted September 28, 1897, by the Board of Supervisors of Queens County to Van Wyck Rossiter. This franchise was for the county road known as the Boulevard.

The Taylor franchise covered electricity for lighting, was unlimited as to time and provided only that the company's fixtures should not be placed under the traveled portion of any highway. The Queens Borough Gas and Electric Company was unable to submit any documentary evidence whatever to show that it owned this franchise.

* See insert opposite p. 319, *ante*.

The Myers franchise was similar to the Taylor franchise in its terms, but the grantee was placed under certain additional obligations, including the requirement that he should begin operations within 18 months, that he should supply electricity on more liberal terms than those being charged, that he must be ready to furnish electricity in any portion of the territory covered by the grant, and that his poles must be located subject to the approval of the Highway Commissioners. In the documents furnished by the company there is a bill of sale from Philip J. Bennett, receiver for the Rockaway Electric Light Company, purporting to sell to Van Wyck Rossiter all of Bennett's interest as receiver in "a certain franchise for lighting the district of Rockaway Beach * * *, said franchise bearing date May 2, 1889." The date given is the date of the Myers franchise, but no documentary evidence was produced by the company to show that the Myers grant ever became the property of the Rockaway Electric Light Company.

Granting that the Rockaway Electric Light Company had title to the Myers franchise and that it was properly transferred by Bennett as receiver to Rossiter by the deed of sale dated July 26, 1897, it appears that Rossiter entered into a contract with the Queens Borough Electric Light and Power Company under date of June 30, 1898, by which he agreed to transfer this franchise. The Queens Borough Gas and Electric Company was unable, however, to furnish the Commission a copy of the actual transfer which it is claimed took place. In lieu of this the company furnished a confirmatory or quit-claim deed, executed by Rossiter on May 28, 1908, more than a year after the Commission had called the company's attention to the apparent defects in its title to this franchise.

Whatever rights passed to the Queens Borough Electric Light and Power Company were unquestionably transferred by sale and merger to the Queens Borough Gas and Electric Company.

The Far Rockaway franchise of May 12, 1891, granted to the Rockaway Electric Light Company, was certainly not included in the sale by Philip J. Bennett, receiver, to Van Wyck Rossiter, and no evidence whatever has been presented by the present operating

company to show that this franchise ever passed from the possession of the company to which it was granted originally. The present company claims, however, ownership of all or nearly all of the outstanding bonds of the Rockaway Electric Light Company, secured by a mortgage which has never been foreclosed. Relative to the status of this mortgage and the rights of the Queens Borough Gas and Electric Company resulting from its ownership of the Rockaway Electric Light Company bonds, Mr. Hawkins stated (pages 1673 and 1674):

“While the Rockaway Electric Light Company was a going concern and before these insolvency proceedings, instituted on behalf of creditors against the company, were begun, the Rockaway Electric Light Company executed a mortgage to the Central Trust Company, as trustee, to secure an issue of bonds, which mortgage is still outstanding. That mortgage was on the franchises and property of the company. So far as we know, all the bonds secured by that mortgage that were ever issued, we have; they having been delivered to us with other property, which came down to us from Rockaway Electric Light Company. The sale by Bennett, Receiver, of the pole line and Myers franchise, was of course subject to the lien of that mortgage. If there is any invalidity in that transfer from Bennett, Receiver, to Van Wyck Rossiter, it could easily be cured by a foreclosure of that mortgage, or by proceedings between the trustee under the mortgage, the Central Trust Company, and the holder of the bonds, to wit: Queens Borough Gas & Electric Company. We had deemed it unnecessary to go through that procedure, because we feel that the transfer through Philip Bennett, Receiver, vested us with title, subject to a lien, which lien we now possess.”

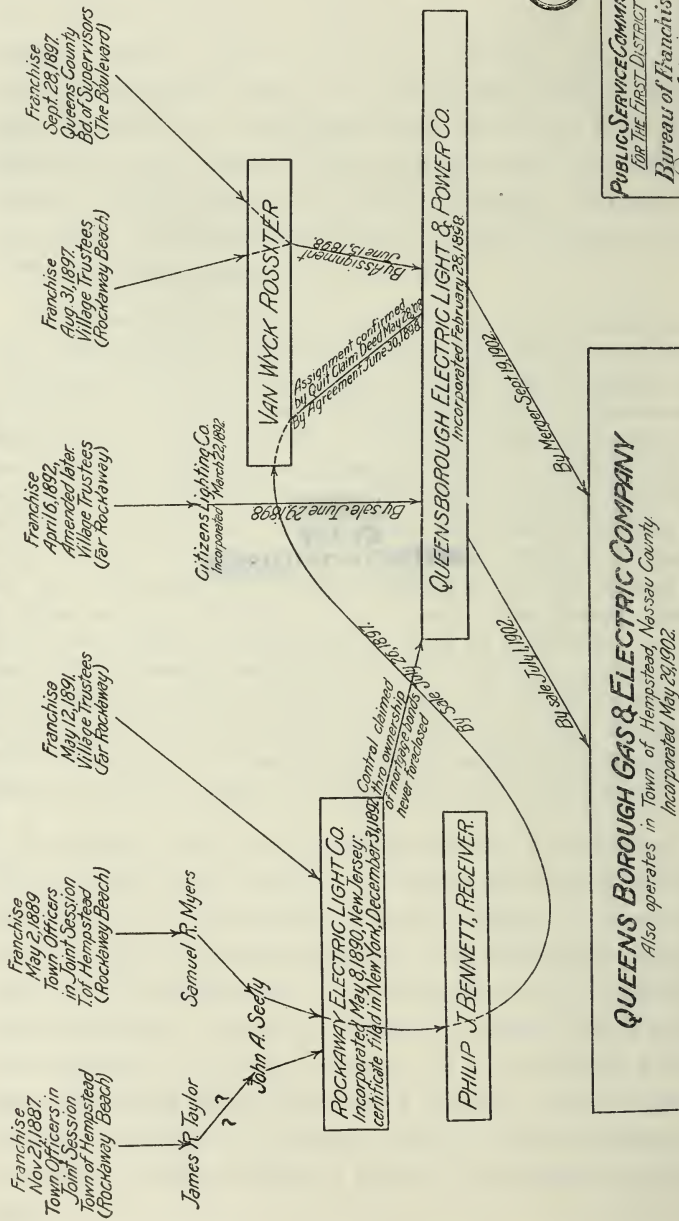
As already stated in a preceding section, the company was unable to furnish any proof that this franchise had received the separate approval of the president of the village, as required by its terms, or that the grantee had filed the \$5,000 bond subject to the approval of the president of the village before the franchise could become effective. In any case, however, whether this franchise was ever perfected or not, and whether or not it is now held by the Queens Borough Gas and Electric Company, either directly or indirectly, it applied to a district which is unquestionably covered by another franchise which is held by the present operating company.

Under the franchise of April 6, 1892, granted to the Citizens' Lighting Company, and afterwards transferred to the Queens

LIBRARY
OF THE
UNIVERSITY OF ILLINOIS.

RECEIVED FROM THE UNIVERSITY OF ILLINOIS

ELECTRIC LIGHT FRANCHISES CLAIMED BY THE QUEENS BOROUGH GAS & ELECTRIC CO. WARD 5, BOROUGH OF QUEENS



3B.

PUBLIC SERVICE COMMISSION
FOR THE FIRST DISTRICT
Bureau of Franchises
W. E. W.
Chief
March 3, 1909. Revised Jan 13, 1910.

Borough Electric Light and Power Company, and still later again transferred to the Queens Borough Gas and Electric Company, the company is required to furnish to the city free of charge the use of one cross arm on its poles for police and fire department wires. There is no provision for free lighting, but there are some elaborate provisions relative to poles, wires and excavations. The scope of this franchise was originally "electricity for lighting purposes only," but as already explained, the company claims that it was later amended so as to expressly authorize the sale of electricity for heat and power. According to the company's interpretation of its rights, however, it would be authorized to supply electricity for all purposes under the franchise as originally granted.

The franchises granted by the village of Rockaway Beach, August 31, 1897, and by the Board of Supervisors September 28, 1897, to Van Wyck Rossiter, were transferred by him by an instrument dated June 15, 1898, to the Queens Borough Electric Light and Power Company, and later transferred by that company to the present operating company. Both of these grants are unlimited as to time and neither of them contains any obligations for free lighting or free service of any kind.

It appears, therefore, that the present operating company unquestionably has a franchise for the Far Rockaway district authorizing it to supply electric light, and probably also heat and power. It also has a franchise for lighting the Boulevard, and a general franchise for the district formerly included in the village of Rockaway Beach. This much is clear. So far as Rockaway Park and Belle Harbor are concerned, it should be stated that in these sections the ownership of the streets is claimed by the private land companies, and the Queens Borough Gas and Electric Company appears to be supplying electricity through arrangements with them. The company has not furnished copies of any of these agreements.

The history of the transfers of this company's franchises is shown on the accompanying chart entitled "Electric Light Franchises claimed by the Queens Borough Gas and Electric Company," and an analysis of the provisions of these franchises is given in Table VIII.

TABLE VIII.—ANALYSIS OF ELECTRIC LIGHT FRANCHISES CLAIMED OR HELD BY QUEENS BOROUGH GAS AND ELECTRIC COMPANY.

Original grantee.....	James R. Taylor....	Samuel R. Myers....	Rockaway Electric Light Co.	Citizens' Lighting Co.	Van Wyck Rossiter..	Van Wyck Rossiter.
Local authority.....	Board of town auditors and highway commissioners, town of Hempstead.	Town authorities, including highway commissioners, town of Hempstead.	Village trustees subject to approval by president of village before going into effect.	Village trustees.....	Village trustees.....	Board of supervisors of Queens County.
Date of franchise.....	Nov. 21, 1887.....	May 2, 1889.....	May 12, 1891.....	April 6, 1892. Amended later.	Aug. 31, 1897.....	Sept. 28, 1897.
Territory covered by franchise.	Rockaway Beach from Norton's Bridge to western end.	Rockaway Beach from Norton's Bridge to western end.	Village of Far Rockaway.	Village of Far Rockaway.	Village of Rockaway Beach.	The Boulevard (in town of Hempstead, now in ward 5, Borough of Queens).
Area.....	5.4 square miles....	5.4 square miles....	2.3 square miles....	2.3 square miles....	1 square mile.....	.....
Population in 1910....	7,589.....	7,589.....	.....	4,887.....	5,012.....	.....
Scope of franchise.....	Electricity for lighting	Electricity for lighting	Electric light (motive power on public streets excluded).	Electricity for lighting, not including motive power in any streets, (afterwards amended—date not given—so as to include light, heat and power, but not to authorize the laying of street railroad tracks ‘').	Electric lights and power for stationary motors, “and for no other purpose.”	Electric light and power.
When required to begin operations.	.....	Within eighteen months from date of grant.	.....	June 1, 1892.....	.....	.....
Free use of poles reserved.	.....	.....	.....	One cross-arm on poles reserved for use of police and fire departments	.....	.....

Maximum rates for public lighting.	.....	"More liberal terms than are now charged."	.....	\$110 per year for each 1,200-candle-power light (not less than thirty lights to be used); \$80 per year for 50-candle-power incandescent lights; continuous service.	.....
Maximum rates for private lighting.	.....	"More liberal terms than are now charged."	.....	16-candle-power incandescent lights for service the year round to eleven P. M., \$1 per month; to one A. M., \$1.25 per month; all night, \$1.50 per month. Thirty per cent may be added to these rates for service less than a year.	.....
Obligation to supply electricity.	.....	Must be ready to supply electricity in any part of territory.	"Must supply light to any person or corporation deserving the same." Must give "continuous service throughout the year" if contract is made for public lighting.	Must be prepared to supply electric light to any person or corporation.	.....
Poles.....	.....	To be located subject to approval of highway commissioners.	To be set in all public places under direction of the trustees.	Not to interfere with travel; set five feet in ground, twenty-five feet above, and thirty feet above if lamps are hung across the street. Must be straight and dressed and painted according to ordinance. Not to be erected in front of private property except as provided by law and ordinance, nor without consent of owner.	.....

TABLE VIII—ANALYSIS OF ELECTRIC LIGHT FRANCHISES CLAIMED OR HELD BY QUEENS BOROUGH GAS AND ELECTRIC COMPANY—
(Concluded).

Wires.....	.....	Not to be placed over traveled portion of highways.	.....	To be insulated as approved by fire underwriters; to be laid with proper care, subject to law and ordinance, and as far as possible from water, gas and other pipes in the streets.	.....	.....
Underground construction required.	Not permitted under traveled portion of highways.	Not permitted under traveled portion of highways.	.....	Authorized; conduits to be at least twenty-four inches below surface; must not unnecessarily obstruct travel or damage property.	.....	.....
Excavations in streets...	.....	.....	Streets to be left in good condition.	Streets to be left in as good condition as before disturbed. Not more than 200 feet of trench to be opened at one time and place. Travel not to be wholly prevented. Underground pipes not to be injured. Village trustees to be notified before work is begun.	.....	.....
Right to inspect street work.	.....	.....	Pole setting under direction of trustees.	Work subject to laws and ordinances.	Street work to be done under reasonable regulations prescribed from time to time by village trustees.	Construction work to be done under direction of county engineer according to reasonable regulations prescribed by supervisor.

Trimming of trees.....	.....	.....	.....	Shade trees not to be trimmed or in anywise injured.	.....	.....
Indemnity bond.....	.....	.....	.....	Bond for \$5,000 as liquidated damages for failing to supply light by June 1, 1892. Grantee must also pay damages resulting from negligence and must protect village from suits for infringement of patents.	.....	.....
Acceptance of franchise required.	.....	.....	.....	Must accept "by writing under seal" before any work is done.	.....	.....
Date of filing acceptance of franchise.	.....	.....	.....	April 6, 1892.	.....	.....
Grant exclusive.....	.....	.....	.....	.....	No.....	.....
Grantee's "successor or assigns" recognized in franchise.	Yes.....	.....	Yes.....	No.....	Yes.....	Yes.
Number of times franchise has been transferred	Four (?).....	Four (?).....	Three (?).....	Two.....	Two.....	Two.

XXII. Electric Light Franchises in the Borough of Richmond.

The Borough of Richmond is being supplied with electric current by the Richmond Light and Railroad Company exclusively. Prior to the annexation of Richmond County to the City of New York, in effect January 1, 1898, there were in this territory four incorporated villages and four towns which had franchise-granting authority within their respective boundaries. These were the villages of New Brighton, Edgewater, Port Richmond and Tottenville, and the towns of Middletown, Northfield, Southfield and Westfield. There was also the town of Castleton, but prior to the date of the first electric light franchise, the boundaries of the village of New Brighton had been extended to cover the entire town and thus the village absorbed the franchise-granting authority of the town.

As already noted in this report, the county road system was adopted in the County of Queens and the Board of Supervisors of that county granted electric light franchises for the various county roads. Although the county road system was also adopted in Richmond, the Board of Supervisors seems never to have granted any electric light franchises in the streets adopted as county roads in that county. This is apparently accounted for by the fact that the county road system of Richmond was adopted under the terms of a special act, chapter 555 of the Laws of 1890, approved June 7, 1890, which applied only to counties not exceeding 200 square miles in area, while the county road system of Queens was adopted under a later act applying to all counties.

1. *Village of New Brighton Franchises.*—The village of New Brighton, which was co-extensive with the town of Castleton, occupied the territory that is now known as the First Ward of the Borough of Richmond.

A. Richmond Light, Heat and Power Company, Limited, contract and franchise, 1888.—As early as October 15, 1884, "George W. Beach and associates, 79 John Street, N. Y., 2d floor rear," petitioned the Board of Trustees of the village of New Brighton for permission to erect poles and run wires for electric lighting purposes. The records do not show that this application was granted. Another petition from the same parties was presented to the village board, dated October 7, 1889, with like result.

On May 17, 1887, Erastus Wiman petitioned the president of the village of New Brighton on behalf of the Staten Island Amusement Company for the privilege of erecting half a dozen poles to carry electric wires around the draw bridge at Bodine's Creek and convey light from St. George to Erastina. The records of the village do not show what, if any, action was taken upon this petition.

On October 27, 1887, the Board of Trustees of the village advertised for bids for electric lighting. Bids were received on November 10, 1887, and on January 5, 1888, the board adopted a resolution awarding a contract to the Richmond Light, Heat and Power Company Limited, "upon the execution of a written contract, terms of which shall be approved by the Board of Trustees, one provision of the contract being the offer of the company to light the village hall free." This contract was executed March 12, 1888, and recited that the village desired "to introduce the electric light system into the said village" and that the company was willing to construct an electrical plant subject to the conditions of the contract. Under this contract the company was to "have the right, privilege and authority to erect, maintain and operate upon the highways, roads, streets, avenues, terraces and lanes in the four separate lamp districts of the said village of New Brighton electric arc lamps of the Thomson-Houston system, and electric incandescent lamps of the Westinghouse system," and "the right to erect and maintain such poles and wires as are necessary to the carrying out of this contract, and for supplying electric lights to private consumers." Construction work was to be approved by the village engineer. The company agreed to furnish arc lamps of 1,200 candle power and incandescent lamps of 25 candle power on Central Avenue, Stuyvesant Place, Richmond Terrace, Bard Avenue, Castleton Avenue and Broadway, and all such streets connecting with Richmond Terrace in the four separate lamp districts of the village as should be designated by the village engineer. The apparatus was to be put into complete working operation on or before July 1, 1888. Lamps were to be lighted from sunset to sunrise every night, and the price was to be \$80 per annum for each arc light and \$15 per annum for each incandescent light, except that the company agreed to furnish free of

charge 26 incandescent lamps and three arc lamps in and near the village hall. The company agreed that its poles should be "pealed uniform in size and appearance" and were not to be less than 20 feet in height above the ground and not less than "six inches average diameter at the top." They were to be kept and maintained "of good sound and perfect timber," and were to be "kept properly and suitably painted with colors to be approved" by the village board. All of the company's lamps and poles were to be numbered. The company's wires were to be "completely and thoroughly insulated in every and all respects, similar to and as shall be approved and now in use in the cities of New York and Brooklyn for public lighting." The poles and wires were to be erected and maintained in such a way as not to interfere with or destroy shade trees, buildings, fences or other property. Excavations in the streets were to be properly guarded, the ground was to be restored to its original condition and all surplus earth and other materials were to be forthwith removed. The company agreed to indemnify the village against all loss and damage from accidents or other incidents arising from the company's operations. Provision was made for a penalty in case the company failed to put into operation the required number of lamps within thirty days after notification from the village engineer. It was further agreed that there should be deducted from the company's pay 25 cents for each arc lamp and eight cents for each incandescent lamp for each night that it was left unlighted through the company's fault. The village board on the other hand agreed that at all times while the company "can lawfully maintain its poles and wires under provisions of this agreement" it would give the company free access and entrance to the streets and public places for the purpose of erecting and maintaining its fixtures. The village board agreed that not less than 35 nor more than 125 arc lamps should be required for public lighting and not less than 400 incandescent lamps, and as many more as might be designated from time to time. It was agreed that the contract should be for one year and should terminate July 1, 1889, with the option, however, on the part of the village to a renewal of the contract on the same terms from year to year for four years longer. Moreover, it was expressly agreed that the village at its

option, or any other company or person who should be awarded the contract for lighting the streets after the termination of this contract or any of its renewals, should have the right to purchase for cash the company's poles and wires in the streets and highways, used for public lighting within 60 days after such termination. The price was to be \$6 per pole, \$400 per mile of single incandescent wire and \$175 per mile of single arc wire if the property was purchased at the end of the first year. If purchased at the end of the second year a discount of 10 per cent was to be allowed, and for each year thereafter an additional discount until at the end of the fifth year there would be a discount of 40 per cent from the prices named. In default of such purchase the company was to have four years after the termination of the contract or any renewal of it before it could be lawfully required to remove its poles and wires. It was mutually agreed "that this contract or any provisions or benefits thereof or herein shall not be assigned or transferred." The company further agreed to execute a bond in the sum of \$10,000 to guarantee its performance of the contract. The company also agreed to pay within 30 days the sum of \$250 to the village counsel "on account of his services herein." The company agreed also to "carefully remove lamps now on the present lamp posts" and store them at its own expense for the village, subject to call. The village retained the right to forfeit the contract on 15 days' notice for failure on the part of the company to live up to its terms. It was provided, however, that "a failure to keep less than one-tenth part of the whole number of lamps in use lighted for less than ten consecutive days at any one time, or any damage occurring to the plant or any part thereof * * * caused by the elements, provided such damage shall be repaired within ten days after its occurrence, shall not be deemed or considered as coming under the provisions of this section."

Mr. Harry P. Nichols in an elaborate report to the Corporation Counsel, dated September 25, 1908, states that lighting was begun under this contract November 29, 1888, and that the contract was renewed May 20, 1889, June 2, 1890 (on condition that the company furnish free lighting to the fire-engine houses), and August 3, 1891. He also states that, on March 21, 1892, a further contract was authorized at a different rate.

The village minutes show that on September 23, 1890, W. D. Wiman appeared and asked permission for the company to erect poles outside of the lamp district on Post Avenue. This permission was granted; likewise two similar permissions on later dates. It appears that the company went bankrupt and that a portion of its property was sold May 31, 1892, to one Wiman, and by him transferred to the Electric Power Company November 15, 1892, and that the remainder of its property, except its franchise, which under a decision of Judge Gaynor it had no power to mortgage, was sold under foreclosure October 31, 1896, and transferred by deed to the Richmond Borough Electric Company January 5, 1897. Apparently the company's franchises perished with it and are not at the present time claimed by anybody.

B. The Electric Power Company contracts and franchise, 1893 to 1897.—After the disappearance of the Richmond Light, Heat and Power Company, Limited, from the minutes of the village of New Brighton, there appear references to the Electric Power Company of Staten Island, which seems to have succeeded the other company as an operating company in New Brighton. This company also went into bankruptcy, but on December 19, 1893, a public lighting contract was awarded to it for the period ending April 1, 1894. On August 7, 1894, Albert B. Boardman as receiver of the company entered into a lighting contract with the village, under which the receiver was authorized to erect and maintain electric arc and electric incandescent lamps in the streets of the village, and “to erect and maintain such poles and wires as are necessary to the carrying out of this contract and for supplying electric lights to private consumers.” The terms of this contract were in most respects similar to the terms of the original contract with the Richmond Light, Heat and Power Company, Limited. The number of public lights to be furnished was fixed at 98 electrical arc lamps and 404 electrical incandescent lamps. The price for arc lamps was \$87.50 each per annum, and for incandescent lamps \$16.50 each. The contract was to take effect as of May 15, 1894, and was to terminate May 15, 1895. It was provided, however, that the receiver “shall have until the first day of July, 1897 (without prejudice to any other poles and wires being erected by or under the authority of

the party of the second part) before he can be lawfully required to remove his poles and wires, all of which the party of the first part (the receiver) hereby agrees to do in a good, proper, skillful and workmanlike manner * * *." It was agreed that this contract, like the one described in the preceding section, should neither be assigned nor transferred.

It appears from the report made by Mr. Nichols that a further contract with the Electric Power Company (or its receiver) was authorized by the village board May 22, 1895. It also appears that on February 14, 1896, Albert B. Boardman, receiver for the company, transferred to William R. McCormick all the company's property and franchises except certain land at Livingston, cash in bank, etc., and that William R. McCormick in turn transferred the property to one Austin B. Fletcher by deed recorded May 16, 1896. The property was transferred subject to a contract dated June 14, 1895, with the village of New Brighton, and at a later date, February 13, 1897, Mr. Boardman as receiver for the company sold at public auction to the New York and Staten Island Electric Company the "Livingston plant" of the Electric Power Company, and the formal transfer of this property was made by a deed February 27, 1897.

Apparently there was no franchise received by this company or its receiver from the village of New Brighton that could have been transferred. Indeed it would appear that the franchise contained in the contract of August 7, 1894, expired July 1, 1897, and if it did not actually expire at that time became revocable at the option of the village authorities.

It appears that the ownership of the electric fixtures in the streets of New Brighton has probably come down through (1) the Richmond Light, Heat and Power Company, Limited, (2) the Electric Power Company of Staten Island, (3) the Richmond Borough Electric Company, (4) the New York and Staten Island Electric Company, and (5) the Richmond Light Company (Richmond Light and Railroad Company). It does not seem probable, however, that any franchise rights described in this and the preceding section survive.

C. New York and Staten Island Electric Company franchise, 1897.—By resolution of the Board of Trustees of the

village of New Brighton, March 9, 1897, an electric lighting franchise was granted to the New York and Staten Island Electric Company. Under this franchise permission was granted to the company "to lay, erect and construct suitable wires or other conductors, with the necessary poles or other fixtures in, on and over the streets, avenues, public parks and places of the village of New Brighton, for the purpose of carrying on the business of lighting by electricity and using electricity for heat and power; and for the purpose of furnishing light, heat and power to public and private parties and the inhabitants of the village of New Brighton." The grant was made subject to the following conditions:

Wires crossing the streets were to be strung at least 15 feet above the crown of the roadbed. In case the company at any time desired to place its wires underground in the streets it was to do so at its own expense and under the supervision of the village engineer, and within a reasonable time restore the streets to as good condition as they were in before any excavations were made. In maintaining its wires and appliances overhead the company was not to injure or destroy any buildings, and not to trim or interfere with any trees without the consent of the property owners, or in the case of shade trees on the sidewalks without the trimming being done under the supervision of the village engineer at the company's expense.

During the work of construction the streets were to be obstructed as little as possible, and at no time left in a condition dangerous to the public. The company was to have "free access to and upon the streets, avenues and public places of the village for the purpose of erecting, placing, maintaining and operating the said poles, wires, lamps and appliances."

The company agreed that during any period when it was under contract with the village to furnish lights for the public streets, it would furnish, operate and maintain free of charge all necessary lights for the use of the village hall, the fire department houses (not exceeding 15 25-candle-power lights for each house), and the public schools and union free school houses. The number of lights to be furnished each school house was to be determined by the village trustees.

The company further agreed to pay into the village treasury on or before January 15th, each year, a sum equal to $\frac{1}{2}$ of 1 per cent of its gross income earned during the preceding year from business done within the village of New Brighton. This percentage was to continue for ten years, and after that time the payment was to be increased to 1 per cent per annum.

The company was required "at all times whenever and wherever practicable in the employment of labor, skilled or otherwise," on work within the village, to "employ American citizens, residents of the County of Richmond, as laborers or otherwise, in and about the said works."

Other clauses related to poles, conductors, insulation and acceptance of franchise.

There is endorsed upon the document the following statement: "This franchise is hereby accepted and its qualifications, conditions and requirements hereby assumed. New York and Staten Island Electric Company, Edward P. Doyle, president, J. E. Comins, secretary."

2. *Village of Edgewater Franchises.*—The former village of Edgewater comprised portions of the old towns of Middletown and Southfield. These towns upon consolidation with the City of New York became Wards 2 and 4, respectively, of the Borough of Richmond.

In May, 1887, two companies made proposals to the village authorities to introduce electric lighting. One of them was the Edison Electric Illuminating Company of Staten Island, which stated that it had purchased Erastus Wiman's electric light plant at St. George. The other company was the Richmond Light, Heat and Power Company, Limited. The latter was given the contract for public lighting and commenced operation in the fall of 1887. This company was succeeded in 1893 by the Electric Power Company of Staten Island. In 1897 the Richmond Borough Electric Company took over the public lighting contract, but was very soon succeeded by the New York and Staten Island Electric Company. During 1896 and 1897 applications for electric lighting franchises had been received from the Richmond County Electric Light Company, the Port Richmond Electric Company and the Midland Electric Lighting Company. No fran-

chises were granted to these companies, however, and the former two were absorbed during 1897 by the New York and Staten Island Electric Company. Operation is now carried on in the district included in the former village of Edgewater by the Richmond Light and Railroad Company exclusively.

A. Richmond Light, Heat and Power Company, Limited, contracts, 1887 to 1893.—On the strength of a proposal made by the Richmond Light, Heat and Power Company, Limited, to the village trustees on May 23, 1887, a contract for public lighting was awarded to the company on July 11, 1887. The Franchise Bureau has been unable to get any trace of a copy of this contract, and consequently it is uncertain whether or not it included a franchise for commercial lighting. It appears from the minutes of the Board of Village Trustees that in its proposal the company offered to furnish electric street lamps of the Westinghouse system, each lamp to be of a capacity of 25 candle power actual measurement, and keep the lights going from sun-down to sun-up every night in the year at the rate of \$15 each per annum.

A new contract was awarded to the same company at the same rates on August 2, 1888, for the year ending May 31, 1889, and was renewed in 1889. On May 10, 1890, the company again offered to renew the contract. This offer was accepted; but the village board resolved that a committee of two be appointed with the counsel to the board to meet the company's representative and draw up a new contract; that they select two months of the year during which all new lights ordered should be erected, and that the village hall should be lighted free of charge. On May 18, 1891, the company's contract was again renewed on the same terms for the ensuing year, but in 1892 the Richmond Light, Heat and Power Company's bid was accepted for public lighting for one year from June 1, 1892, "at \$15 for each lamp during such time as the power house is in working order to the satisfaction of the Board of Trustees, and \$17.50 for each lamp from that time to the end of the fiscal year."

No references have been found in the village minutes during these years which indicate that the company was doing a commercial lighting business.

B. Electric Power Company's contracts, 1893 to 1896.—The Electric Power Company of Staten Island, which appears to have succeeded in November, 1892, to some of the property of the Richmond Light, Heat and Power Company, Limited, went into bankruptcy in May, 1893. Its receiver, Albert B. Boardman, was awarded a contract by the Board of Trustees of the village of Edgewater on July 11, 1893, and others in later years.

No copy of any of these contracts has been found.

C. The Richmond Borough Electric Company contract, 1897.—On November 17, 1896, the Richmond Borough Electric Company applied to the Board of Trustees of the village for an electric lighting franchise. Apparently this company became the successor of the Electric Power Company, for on January 21, 1897, the village entered into a contract with the Richmond Borough Electric Company for public lighting for the remainder of the fiscal year ending May 31, 1897, which had been covered by the contract conditionally awarded to the Electric Power Company in the preceding June. Under the terms of the Richmond Borough Electric Company's contract the company agreed to furnish 25-candle-power incandescent electrical lamps to be erected, operated and maintained at such points in the streets and parks of the village as the village authorities might determine, and to keep these lamps lighted from sunset to sunrise every night, at the rate of \$17.50 per annum for each lamp, dating from January 5, 1897.

There is no reference in this contract to commercial lighting, and no authority was granted to the company by the terms of the contract to erect and maintain poles, wires and other fixtures for a general electric lighting business. An entry in the village minutes for February 16, 1897, refers to a notice that the Richmond Borough Electric Company had been succeeded by the New York and Staten Island Electric Company.

D. New York and Staten Island Electric Company franchise, 1897.—On February 16, 1897, the New York and Staten Island Electric Company, which had succeeded to the rights and property of the Richmond Borough Electric Company, applied to the Board of Village Trustees for an electric lighting franchise. This application was later amended, but the village minutes show that on March 5, 1897, the application was denied by a majority

vote. Shortly thereafter, however, the company renewed its application and on April 6, 1897, received a franchise from the village board.

Under this franchise the company was given permission "to lay, erect and construct suitable wires or other conductors with the necessary poles or other fixtures in, on, over and under the streets, avenues, public parks and places of the village of Edgewater for the purpose of carrying on the business of lighting by electricity and using electricity for heat and power and for the purpose of furnishing light, heat and power to public and private parties and the inhabitants of the village of Edgewater." The conditions of this grant are similar to those attached to the grant by the village of New Brighton, to the same company, already described.

The condition in regard to free lights provides that they shall be furnished for the use of the village hall "in all its parts," that "three five-light clusters" shall be furnished for the lighting of Washington Park, and also that the company shall furnish free "all necessary electric lights for all fire department houses" not exceeding fifteen 25-candle-power lights for each house, and "all necessary lights" for the public school and union free school houses, the number of such lights to be determined by the Board of Trustees.

The company agreed to pay to the village within 20 days after the granting of the franchise the sum of \$3,000, and also $\frac{1}{2}$ of 1 per cent of the gross income from the company's business within the village of Edgewater each year for the first 10 years, and 1 per cent of its gross income for each year thereafter. Payments were to be made semi-annually on the first day of June and the last day of December. The franchise was to run for a period of 20 years. The company further agreed that as long as the village continued to advertise for bids for street lighting as provided by the village charter the company would put in a bid at a price not in excess of the price for which it offered to furnish lights to other municipalities and not to exceed \$17.50 per lamp per annum.

In response to the request for copies of missing franchise papers, Mr. Sims, representing the company, left with the Com-

mission a number of miscellaneous documents, among which were copies of two lighting contracts between the village of Edgewater and the New York and Staten Island Electric Company. One of these appears to have been executed May 25, 1897, and was for the year ending May 31, 1898. The other contract was executed December 31, 1897, the last day prior to the consolidation of the village with the City of New York, and was for the period of five years ending December 31, 1902. It is quite certain that this second contract was invalid, but even if both contracts were valid, they contain no provisions which would have any present effect upon the Richmond Light and Railroad Company's franchise rights in the territory included in the former village of Edgewater.

3. *Village of Port Richmond Franchises.*—The village of Port Richmond was a part of the old town of Northfield, which at the time of consolidation with New York City became Ward 5 of the Borough of Richmond. Electric light was first introduced into the village by the Richmond Light, Heat and Power Company, Limited, some time between 1887 and 1890. A proposal for public lighting by electricity made by the Montauk Construction Company was accepted by the village authorities in 1889 and thereafter the Staten Island Light, Heat and Power Company was organized to carry out the contract. This company continued public lighting in the village until 1894, when it was succeeded by the Port Richmond Electric Company, organized by Charles H. Ingalls. Finally, in 1896 an electric lighting franchise was granted to the Richmond County Electric Light Company and in 1897 the New York and Staten Island Electric Company received a public lighting contract. At present electric light operations are carried on within the limits of the former village exclusively by the Richmond Light and Railroad Company as successor of the New York and Staten Island Electric Company, which in turn succeeded to the rights and property of the Richmond County Electric Light Company and the Port Richmond Electric Company. The present company in filing its franchise papers with the Public Service Commission stated that it was unable to find among its documents any franchise from the village of Port Richmond. An examination of the official records shows,

however, that such a franchise was granted to the Richmond County Electric Light Company in 1896, and undoubtedly transferred by it with its other property to the New York and Staten Island Electric Company, so that the present company has as much claim to this franchise as to any of those filed by it outside of the village of New Brighton.

A. Richmond Light, Heat and Power Company franchise and permits, 1887 to 1892.—The minutes of the Board of Trustees of the village of Port Richmond show that on October 14, 1887, an application was received from the Richmond Light, Heat and Power Company, Limited, “for leave to set poles in the streets for the purpose of lighting the streets by electricity, and also furnishing electric lights for domestic purposes under such restrictions as the board may prescribe.” The minutes recite that “on motion the petition was granted, the work to be done under the street commissioner’s direction and poles to be set in sidewalks next the curbstone.” It was expressly stipulated, among other things, that “this permit may be revoked by this board at any time.”

The village minutes show that on January 8, 1889, Mr. F. S. Holmes, general manager of the company, appeared before the village board and asked permission to erect certain poles to straighten and improve the company’s line through Heberton Avenue, and to arrange for lighting private dwellings. This request was granted on conditions, among them being one that the company was “to remove the poles at any time when so directed by resolution of this board.” During the following year, that is to say, on July 18, 1890, a resolution was adopted by the village trustees reciting that the company had erected a line of poles under the permission granted the year before in certain streets. It was further recited that “the line so erected was not in accordance with the permission given by this Board and is an encumbrance to the public streets [as] it serves no public purpose whatever.” It was accordingly resolved that the company be notified “to remove said poles from said street within two weeks from service of notice so to do.” On September 5, 1890, a communication was received from the company by the village board stating that the line of poles complained of would be re-

moved and asking permission to erect other poles in Post Avenue to enable the company to light a certain individual's place from the company's lines in West Brighton. This petition was granted, "the poles to be promptly removed whenever directed by this board."

On July 19, 1889, the company had asked leave to erect poles in the Shore Road and Sharp Avenue between the railroad stations in order that it might "arrange for lighting buildings." This request was granted, the company agreeing "to remove the poles at any time when so directed by resolution of this Board." In November of the same year the company made a proposal for public lighting, but it was under-bid by the Montauk Construction Company, to which the contract was awarded. On May 4, 1891, a representative of the Staten Island Light, Heat and Power Company, to which this contract had been assigned, appeared before the village board "and stated it to be the understanding that when his company made its contract with this village to furnish lights, etc., the Richmond Light, Heat and Power Company would not be allowed to erect their poles for the purpose of lighting private houses or stores in the village, and that said company had erected poles for such purposes, damaging the Staten Island Light, Heat and Power Company about \$400." Apparently no action was taken, however, upon this complaint, and six months later, November 2, 1891, on petition of the Richmond Light, Heat and Power Company, permission was granted to it to erect additional poles on certain streets. This permission was granted after the company's petition had been referred to lawyers and a written opinion rendered, and after the hearing of parties on both sides. The company was subsequently authorized to erect and maintain additional poles, but the later grants for specific locations did not contain an express reservation of authority on the part of the village board to order the poles removed. The village minutes for January 7, 1896, show, however, a committee report to the board of trustees to the effect that there were 48 poles which were not in use. As it appeared that these poles were the property of the Richmond Light, Heat and Power Company, it was ordered that the company "immediately remove all poles now standing in the several streets of the village owned by them and not in actual use."

The franchises of the Richmond Light, Heat and Power Company, Limited, do not seem to be claimed by the present operating company as none of these papers were filed with the Public Service Commission with the company's franchise documents, and no reference was made to the Richmond Light, Heat and Power Company either in the present company's correspondence in regard to documents or at the hearings.

B. Staten Island Light, Heat and Power Company contract, 1889 to 1893.—On November 8, 1889, the Board of Village Trustees awarded a contract for street lighting to the Montauk Construction Company, whose bid was the lowest. On November 29, 1889, the village clerk reported that according to notice received by him a corporation named the Staten Island Light, Heat and Power Company had been organized to execute a contract with the village under the Montauk Construction Company's proposal. A week later, on December 6, 1889, the village counsel, Mr. DeGroot, reported that he had caused an examination to be made of the organization of the Staten Island Light, Heat and Power Company and that the company appeared to be regularly organized under the laws of New Jersey, with an office in New York City. Thereupon a resolution was adopted by the village board requiring the Montauk Construction Company to cause the contract for public lighting to be executed within one week in accordance with the company's proposal. It appears that this contract was executed and that the Staten Island Light, Heat and Power Company continued to furnish public lighting in the village, probably until 1894, when it was succeeded by Charles H. Ingalls and the Port Richmond Electric Company. No copy, however, of the original contract between this company and the village or of any renewal contracts can now be found, either among public records or among the documents of the Richmond Light and Railroad Company. It cannot be determined, therefore, whether or not the company enjoyed a franchise for private lighting. That the company claimed such a franchise would appear, however, from the incident described in the minutes of May 4, 1891, to which I have already referred, where the company protested against permission being granted to the Richmond Light, Heat and Power Company to do a commercial lighting business in the village.

The present operating company did not file with the Public Service Commission with its franchise papers any of the documents of the Staten Island Light, Heat and Power Company, and does not appear to claim any franchise rights originally acquired by the latter company.

C. The Charles H. Ingalls and Port Richmond Electric Company franchise and contract, 1894.—On March 13, 1894, a bid of Charles H. Ingalls for lighting the streets of the village of Port Richmond was accepted by the village board and Mr. Ingalls was notified to appear before the board at its next regular meeting. A contract in pursuance of this award was entered into on April 26, 1894. It is recited in this contract that the village “desires to have all its streets, avenues, roads and highways and parks lighted by the electrical light system” and accordingly it was agreed that Ingalls “shall have the right, privilege and authority and hereby covenants and agrees to erect, maintain and operate upon all the highways, roads, streets and avenues and in the public park in the said village such poles and wires with electric lamps thereon as are or shall be necessary to the carrying out of this contract with said village, and for the lighting of all the streets, highways, roads, avenues and park aforesaid.”

The grantee was to furnish “not less than 301 electrical incandescent lamps of the Heisler system or such other system as may be agreed upon by and between the parties of this contract,” of not less than 32 candle power each. The grantee also agreed to put arc lights at points to be designated by the street committee. Lamps were to be kept lighted from sunset to sunrise every night of the year. The village agreed to pay at the rate of \$17.50 per annum for incandescent lamps and \$100 per annum for arc lamps. Other provisions related to location and maintenance of poles, insulation of wires, injury to private property, street excavations, locations of lamps, outages, etc.

It was stipulated that the contract should “end and terminate” at the end of five years from its date, but the village reserved the right or option of purchasing the electrical plant at any time during the continuance of the contract upon the payment of an undetermined amount. The space in the document left for the purchase price was left blank. The contractor agreed to furnish

electric lights free of charge for the several fire department companies located in the village for the purpose of lighting the rooms where the different apparatus of the companies was located, upon condition that the fire companies "pay for the fixtures and the expenses necessary to place said lights in position." It was agreed that upon the termination of the contract the grantee, unless he had received a further contract for street lighting in the village, should at once remove all poles, wires and lamps from the streets, and in case he failed to do so within thirty days after the termination of the contract the village reserved the right to "make such removal" at his expense.

On June 13, 1894, Ingalls and the Port Richmond Electric Company, of which he was president, asked the village board to authorize the assignment of the contract to the company. It appears from the minutes of the board of village trustees that this request was granted July 6, 1894, and that on July 20, 1894, the company's sureties were approved.

Any transferable rights of the Port Richmond Electric Company were acquired in 1897 by the New York and Staten Island Electric Company, but the present operating company has not filed with the Public Service Commission among its franchise documents a copy of the Ingalls contract, and does not appear to claim franchise rights under it.

D. Richmond County Electric Light Company franchise, 1896.—On September 10, 1896, Edward P. Doyle appeared before the Board of Trustees of the village of Port Richmond, as president of the Richmond County Electric Light Company, and applied for a franchise to furnish light, heat and power for public and private use, with the right to erect poles, set wires and lay conduits or other necessary things to "carry out its object." The company offered to pay to the village 1½ per cent of its gross receipts during the first five years, 3 per cent during the second five years and 5 per cent thereafter. Upon the receipt of this application a resolution was unanimously adopted authorizing the company "to lay, erect and construct suitable wires or other conductors with the necessary poles, pipes or other fixtures in, on, over and under the streets, avenues and public parks and places of the village of Port Richmond for conducting and dis-

tributing electricity in the furnishing of light, heat and power, provided that this consent given by this board as the municipal authorities of the village of Port Richmond shall not be construed to be an exclusive consent, and that the said consent shall at all times be subject to such necessary and reasonable regulations as this Board of Trustees may from time to time prescribe." It was further stipulated that "no work shall be done on the streets, sidewalks or public places except according to plans filed from time to time and approved by the Board of Trustees of the village." This grant was made upon the express condition that the company would pay the percentages of gross receipts offered in its application.

On September 20, 1896, the village board ordered the company to discontinue the erection of any poles and wires in the village until further notice from the board granting the company the privilege to proceed with the work. The village minutes show that on September 28, 1896, the Board of Trustees was called together for the purpose of taking action relative to an order of the Supreme Court of Richmond County requiring the trustees to appear on November 5, 1896, and show cause why an injunction should not be issued restraining them from rescinding or revoking the franchise granted to the Richmond County Electric Light Company. In the minutes for March 17, 1897, there is an entry which shows that the counsel reported to the Board of Trustees that a permanent injunction had been secured by the company. In the meantime, on February 13, 1897, Mr. Edward P. Doyle, president of the company, had appeared before the village board and asked that the petition and plans of the company for the erection of poles, etc., presented at a meeting of the board held November 10, 1896, "be granted and approved." Thereupon it was ordered "that a committee of three be appointed relative to electric light matters and that the above mentioned petition be granted and the plans approved, *provided* the company immediately removes from the street all damaged and dangerous poles and all poles not in use, and that all work in connection therewith be done subject to the approval of the said Committee."

On May 19, 1897, the company was required to place some 98 additional incandescent lights on various streets in the village.

It would appear from this and from later proceedings that pending the determination of its injunction proceedings the company had probably acquired the rights of the Port Richmond Electric Company under its contract for street lighting, and that the property, rights and franchises of both these companies had been acquired by the New York and Staten Island Electric Company on February 10, 1897.

Among the franchise documents originally filed with the Public Service Commission by the Richmond Light and Railroad Company no franchise for electric lighting in Port Richmond was included. It was not until after the company's attention had been called at one of the hearings to the franchise granted to the Richmond County Electric Light Company September 10, 1896, that the representatives of the present operating company looked the matter up and claimed the franchise.

It was the practice of the old local authorities of Richmond County to hand out franchises from time to time as signed documents without always taking the trouble to make a note of them on the minutes, while on the other hand entries in the minutes appearing to grant franchises upon certain conditions to be later determined were sometimes not followed up by the execution of the proper documents fixing the terms and conditions.

E. New York and Staten Island Electric Company contract, 1897.—The original Ingalls contract for public lighting executed April 26, 1894, was to run for a period of five years and was non-transferable. Its transfer, however, with the approval of the village authorities to the Port Richmond Electric Company has already been noted. After the Port Richmond Electric Company and the Richmond County Electric Light Company had sold their property and franchises to the New York and Staten Island Electric Company, the latter applied to the Board of Village Trustees for a new lighting contract to take the place of the Ingalls contract. This application was made August 31, 1897, nearly two years before the expiration of the term of the Ingalls contract. In making this application Mr. Doyle as president of the new company stated that the Ingalls contract had been transferred to the Richmond County Electric Light Company and by it transferred to the New York and Staten Island Electric Company.

On September 3, 1897, a contract was awarded by the Board of Trustees to the New York and Staten Island Electric Company and was executed September 7, 1897. This contract recites that Ingalls had operated a plant for electrical lighting and had equipped it with a system of incandescent lights; that a charter for the establishment and maintenance of a complete plant for electrical lighting had been granted by the village to the Richmond County Electric Company and by it transferred to the New York and Staten Island Electric Company, and that the latter company had succeeded to all of the rights and interests of Mr. Ingalls under the said contract, "to which said village has consented." This document further recited that the company would light the streets, public grounds and public buildings of the village with electricity for a period of five years from September 1, 1897. Arc lamps were to be of 1,200 candle power each and incandescent lamps of 32-candle power. The village agreed to pay the company \$100 a year for each arc lamp and \$17.25 a year for each incandescent lamp, except that light was to be furnished to all fire company houses and public schools free of charge.

This contract did not of itself grant any continuing franchise rights. It recognized, however, the validity of the general franchise granted to the Richmond County Electric Light Company and of its transfer to the New York and Staten Island Electric Company.

F. Electrical Subway franchise, 1897.—On February 16, 1897, a resolution was unanimously adopted by the Board of Trustees of the village of Port Richmond authorizing Joseph P. Pearce, Jr., Horace E. Bull and five others, their executors, administrators and assigns collectively "to construct subways; to lay, construct, operate, maintain and use (and collect toll, rent and compensation therefor) under all the streets, villages, sidewalks and public places in the village of Port Richmond, wires, pipes, conductors, conduits, fixtures, appliances and appurtenances for conducting and distributing electricity, gas, water, oil, fluids, wires and steam." The grantees were also authorized "to erect, string and maintain in the said streets, sidewalks and public places poles, wires, appliances, fixtures and appurtenances

for use in the operation of the said subways, pipes, conduits and conductors." The grantees were expressly authorized to open the streets and public places of the village at all times for the purpose of constructing and maintaining their fixtures. It was stipulated, however, that immediately after any street work was done the streets should be restored to their previous condition. The grantees were required to meet and organize and take steps to induce all corporations having wires and poles in the streets to put them under ground. As compensation for this franchise the grantees were to pay the village \$100 in cash and $\frac{1}{2}$ of 1 per cent of their net receipts during the first year, 1 per cent of their net receipts during the second year and $2\frac{1}{2}$ per cent of their net receipts thereafter. Before opening any streets they were required to file a bond in the sum of \$5,000 to secure the restoration of the streets and to indemnify the village against accidents. All work was to be finished to the satisfaction of the Board of Trustees.

On December 24, 1897, just one week before consolidation, Mr. Pearce appeared before the village board, and said that he was ready to pay the sum of \$100 under the provisions of the resolution of February 16, 1897. He was informed that the board had no authority to receive money, and was directed to pay it to the treasurer of the village. On the same date Mr. Frederick C. Marsh appeared before the board as counsel for the grantees of the subway franchise and stated that the grantees had organized and had incorporated as the Richmond Borough Subway Company under the laws of the state of New Jersey. He asked that the franchise be amended by substituting the name of the company for the names of the original grantees. This request was granted and the franchise resolution amended accordingly. The company's bond was then fixed in the sum of \$10,000.

No record has been found of any activity under this franchise or a similar one granted by the local authorities of the town of Northfield, to which reference will be made later in this report. The present status of the Richmond Borough Subway Company and of the rights obtained under this franchise has not been ascertained.

4. *Town of Northfield Franchises.*—The old town of Northfield became Ward 3 of the Borough of Richmond at the time of

consolidation with New York. That portion of the town of Northfield outside of the village of Port Richmond was erected into a separate road district by act of the legislature, chapter 618 of the Laws of 1881, and the control of the streets in the road district was given to a single highway commissioner, instead of the usual board of three commissioners.

A. The Lisk franchise — Richmond County Electric Light Company, 1897.— On January 14, 1897, John W. Lisk, commissioner of highways for the separate road district of the town of Northfield, granted the Richmond County Electric Light Company a franchise “to erect poles, string wires and all other appurtenances and appliances for the carrying on of electric lighting and power in said town of Northfield, and to enter upon the highways, streets and public places of said separate road district for that purpose at all reasonable times.” The commissioner added “and this franchise and grant shall not be revocable except by due process of law.” This franchise was granted absolutely without conditions unless the use of the words, “upon application in writing of the Richmond County Electric Light Company duly made,” made the application itself part of the franchise. No copy of this application has been filed with the Public Service Commission or has been discovered among the official documents of the city. Mr. Nichols notes in his report that there is on file in his office a copy of an application by this company to the town board of Northfield dated January 6, 1897, but there is no record that the company ever secured the consent of the town board.

B. Town Board franchise — New York and Staten Island Electric Company, 1897.— On April 12, 1897, the town board adopted a resolution to the effect that a contract be entered into with the New York and Staten Island Electric Company for lighting the streets and public buildings in the town of Northfield outside of the limits of the village of Port Richmond, subject to terms and conditions among which were the following:

The company was to light all the fire houses and school houses with a sufficient number of lights free of charge; to pay the town one-half of one per cent of its gross receipts in the territory covered by the contract; and to furnish as many 25-candle-power street lights, to be kept burning every night in the year from sunset to sunrise, as the town board might require.

The town board was to pay \$17.25 a year for each street light furnished, or a proportionate amount in the case of lights not furnished for the entire year, payments to be made semi-annually. The contract was to be in force for the period of ten years from the date of the resolution.

There is an acceptance of this resolution on file with the City Bureau of Franchises, dated April 20, 1897, addressed to the Town Board of the town of Northfield, in which the company, by J. E. Comins, secretary and treasurer, apparently attempts to enlarge the scope of the resolution accepted by the use of the words:

"The New York and Staten Island Electric Company hereby accepts the grants, privileges and concessions for the laying, erecting and constructing of wires or other conductors, with the necessary poles or other fixtures in, on and over the streets, avenues, public parks and places of the town of Northfield for the purpose of carrying on the business of lighting by electricity and using electricity for heat and power and for the purpose of furnishing light, heat and power to public and private parties and the inhabitants of the town of Northfield, as granted and secured to it by the certain Resolutions adopted by your Honorable Board on April 12, 1897. * * * This formal acceptance is executed and delivered by the said New York and Staten Island Electric Company in accordance with the provisions of the said Resolutions and for the purpose of vesting in it and making operative the grant in said Resolutions set forth; and as and for the purpose of, and to express, the contract by and between the Town of Northfield and the said New York and Staten Island Electric Company in the premises, and the considerations and conditions of such contract. And said New York and Staten Island Electric Company hereby accepts and agrees to all and singular the conditions, regulations and requirements in the said Resolutions set forth and contained, and hereby promises, agrees and assumes to perform the same; and expressly promises and agrees in consideration of the grants, privileges and concessions secured to and vested in it, to make the specified annual payments of percentages upon its annual gross earnings required by said Resolutions to be paid into the treasury of the said town as a consideration for the aforesaid grant."

It is to be noted that, while the resolutions themselves contained no reference to private lighting, the company's acceptance specifically reads into the resolutions a general franchise grant.

There is also on file with the City Bureau of Franchises an uncertified copy of another contract between the New York and Staten Island Electric Company and the town of Northfield, which appears to have been executed April 20, 1897, the same day on which the company filed its acceptance of the resolutions of April

12, 1897. This second contract is signed by J. E. Comins as secretary and treasurer of the company and by Edward P. Doyle as supervisor, and Andrew J. Hinton as clerk of the town. It should be noted that Doyle was at the same time president of the company as appears from his applications for franchises and contracts in other towns and villages of Richmond County. The first section of this contract provides specifically that the company "shall have the right, privilege and authority to erect, maintain and operate upon the highways, roads, streets, avenues, terraces and lanes in the lamp district in the town of Northfield, electric lamps, and shall have the right to erect and maintain such poles and wires as are necessary for the carrying out of this contract and for supplying electric lights to private consumers; the erection and construction of said wires and poles to be approved by the said town board of said town, or some person by them selected." This contract then sets forth in elaborate form the terms and conditions of the agreement, including those enumerated in the resolutions of April 12. The free lights for fire department houses are limited to fifteen lamps of 25 candle power each for each house. Other clauses regulate the kind of poles to be used, insulation of wires, injury to property, street work, etc.

The contract was to continue until April 1, 1907, and the company promised that "at all times, whenever and wherever practicable in the employment of labor, skilled or otherwise, in the erection, construction and maintenance" of its plant, it would "employ residents of said town as laborers or otherwise in and about said work."

There appears in the minutes of the town board of April 23, 1897, three days after the date of this contract, but the same date on which the contract was executed by Doyle and Hinton on behalf of the town, a resolution to the effect that if the contract between the company and the board for the lighting of the town outside of the limits of Port Richmond be entered into the company before proceeding with any work under the contract, must give bond in the sum of \$10,000, with two sureties to be approved by the Board. No record has been found of the filing of the bond required, and no record has been found to indicate that the highway commissioner gave his consent to the operations of this com-

pany, although the obtaining of this consent was one of the conditions of the contract with the town board dated April 20, 1897, and executed three days later. It is to be noted, however, that on February 10, 1897, more than two months prior to the date of this contract, the company had acquired by purchase the property and rights of the Richmond County Electric Light Company, which in turn had obtained from the Commissioner of Highways of the separate road district of the town of Northfield the franchise described in the preceding section of this report.

The present operating company does not, however, appear to make any claims of any franchise or contract derived from the action of the town board on April 12, April 20 or April 23, 1897. At least no documents referring to such action or claiming franchise rights thereunder have been filed with the Public Service Commission among the documents by the Richmond Light and Railroad Company.

C. The Melvin Subway franchise, 1897.—There appears on the minutes of the town board of the town of Northfield for March 15, 1897, a resolution unanimously adopted, granting an electrical subway franchise, similar in character to the one above referred to granted by the village of Port Richmond.

We have found no record to show that a corporation was ever formed to exercise this franchise, that the franchise was, as a matter of fact, exercised, or that it is now claimed by any one as a valid franchise.

5. *Town of Middletown Lighting Contract, 1897.*—The former town of Middletown became Ward 2 of the Borough of Richmond at the time of consolidation with New York. That portion of the town not included in the village of Edgewater constituted a separate road district. The Richmond Light and Railroad Company is operating there, but was unable to furnish to the Commission any conclusive evidence that it, or any of its predecessors, ever received a franchise from the town authorities. In the absence of a franchise the company filed certain extracts from the minutes of the town board. From these extracts it appears that on December 17, 1897, a resolution was adopted by the town board providing for the publication of a notice of petition for the establishment of a lamp district and for the making

of a contract for electric lighting. It also appears that on December 31, 1897, the town board adopted a resolution accepting the proposition of the New York and Staten Island Electric Company "to light with electricity the lamp district heretofore created in the town of Middletown outside of the village of Edgewater and the streets, avenues and highways of said lamp district for the period of ten years from this date, with two hundred and fifty-two (252) incandescent lamps at the rate of seventeen and twenty-five one hundredth dollars (\$17.25) per lamp per year, to be paid annually on the 31st day of December in each year." By this resolution also it was set forth that "the Supervisor and Town Clerk are hereby authorized and empowered to execute a contract with said Company with appropriate covenants and a bond in the sum of Five thousand (\$5,000) dollars by said Company that it will keep and perform all its covenants and which bond shall be subject to the approval of the Supervisor of the said Town." It appears from Mr. Nichols' report that Edward P. Doyle, president of the New York and Staten Island Electric Company, appeared before the town board on May 19, 1897, with an application for permission to erect poles and wires, to furnish light to that portion of the town outside of the village limits. This application was referred to a committee which reported progress at two subsequent meetings. On October 19, 1897, Doyle again appeared before the board and presented a petition asking for the establishment of a lamp district outside of the village limits. On December 29, 1897, two days prior to the acceptance of the proposition mentioned above, the board adopted a resolution making the separate road district of the town a lamp district. On the following day the company submitted its bid, which, as already stated, was accepted December 31, 1897, the last day prior to consolidation. No record has been found of any electric lighting franchise granted by the town of Middletown, and no copy of the contract authorized December 31, 1897, with the New York and Staten Island Electric Company, if such a contract was in fact executed, has as yet been discovered.

6. *Town of Southfield Franchises.*—The former town of Southfield became Ward 4 of the Borough of Richmond at the time of consolidation. No record has been found of any fran-

chises granted by the local authorities of this town for electric lighting purposes prior to 1897. In that year, however, grants were made to the New York and Staten Island Electric Company both by the town board and by the highway commissioners. Applications for franchises were also made in that year by the Richmond County Electric Light Company and the Midland Electric Lighting Company, but, so far as the records show, no franchises were granted to these companies.

A. Highway Commissioners franchises, 1897.—It appears from Mr. Nichols' report that on March 10, 1897, E. P. Doyle, president of the New York and Staten Island Electric Company, applied to the Highway Commissioners of the town of Southfield for a franchise covering that portion of the town lying outside of the village of Edgewater. The application was renewed April 13, 1897. At the same time Mr. Doyle filed with the commissioners a certified copy of certain proceedings of the town board purporting to have granted the company a franchise. Both the application and the proceedings were returned by vote of the Highway Commissioners to the applicant. It seems that depending on the alleged grant from the Town Board the company had commenced to erect poles in the streets. Accordingly, on May 13, 1897, the Highway Commissioners passed a resolution authorizing their counsel to abate the nuisance. This resolution was readopted the next day, but was rescinded on May 18, 1897, and the company was notified to appear before the commissioners. On May 25th Mr. Frank W. Pfaff appeared on behalf of the company and applied for consent to the erection of poles and other fixtures for the distribution of electricity. Thereupon the commissioners adopted a resolution granting the application upon condition: First, that all suits pending against the Commissioners, their employees and agents be discontinued; second, that the consent be granted as far as the powers of the Highway Commissioners extended for streets, avenues and parkways outside of the village of Edgewater; third, that the grant be "subject to such conditions and requirements as the board may see fit to impose."

On May 26, 1897, Mr. Doyle appeared before the Board with an agreement which was accepted and signed. A copy of this agreement was furnished to the Public Service Commission

among certain supplementary papers discovered in connection with the hearings on franchises by the Richmond Light and Railroad Company. Under this agreement the Commissioners gave permission to the company "to lay, erect and construct suitable wires or other conductors with the necessary poles or other fixtures in, on, over and under streets, avenues, public parks and places in the town of Southfield, outside of the village of Edgewater, for the purpose of carrying on the business of lighting by electricity and using electricity for heat and power and for the purpose of furnishing light, heat and power to public and private parties and inhabitants of the town of Southfield" upon certain conditions. It was stipulated that whenever the company should put its wires under the streets the work should be done at its own expense, but in accordance with the directions and under the supervision of the Commissioners.

The company agreed to furnish, maintain and operate free of cost all necessary lights in and for the use of the public schools, fire department houses and churches outside of the village of Edgewater, the number of lights in each case to be determined by the Highway Commissioners. It was stipulated that the agreement relative to free lighting should last during the continuance of the franchise granted the company by the Town Board.

On December 29, 1897, the Highway Commissioners adopted a resolution to the effect that the electric lighting franchise previously granted to the New York and Staten Island Electric Company to erect poles and fixtures for the purpose of carrying on the business of lighting by electricity "shall be in perpetuity unless the courts shall finally decree that under the provisions of the charter of Greater New York, or otherwise, this board had not the power at the time of granting said consent and permission to grant the same to the said company in perpetuity, in which event the consent and permission given by this board shall exist, obtain and be vested in the said company for the period of 25 years or for the maximum period for which this board had or now has the power to grant the same in case the said maximum period is other than 25 years." It was further resolved that "nothing in these resolutions shall be construed to prejudice the said consent and permission, but that the same are hereby ratified and confirmed in all respects."

B. Town Board grants, 1897.— There are some very interesting entries in the minutes of the town board relative to franchise grants of the New York and Staten Island Electric Company. On March 11, 1897, a resolution granting the company an electric lighting franchise was declared carried by the chairman, although the vote was three to three. At the next meeting of the board on March 16, 1897; the question of approving the minutes of the preceding meeting came up and the vote was again three to three, after which the chairman declared the minutes approved. Thereupon one of the opposition moved to rescind the resolution of the preceding meeting granting a franchise to the New York and Staten Island Electric Company, and on this motion also the vote was three to three. In this case, however, the chairman declared the motion lost. Apparently the chairman went on the theory that he had a vote as presiding officer of the town board in case of tie, although he had already voted once as supervisor.

There is on file with the city Division of Franchises a paper purporting to be a copy of a letter from Edward P. Doyle, president of the company, dated April 26, 1897, and addressed to the Town Board, which contains the following declaration:

"The New York and Staten Island Electric Company received from your Board on Tuesday, March 16, 1897, a Franchise subject to certain conditions to be approved by your Board.

"This franchise covered all streets, highways and public places in the Town of Southfield, outside of the Village of Edgewater, and gave my Company the right to erect poles, stretch wires, and do business in your Town, subject to certain conditions to be drawn by Counsel and approved by your Board. These conditions have been prepared by your Counsel and meet our approval.

"Since the 16th day of March, however, your Board has held a number of meetings without being able to secure a quorum for the transaction of business. I have been present at each meeting on behalf of my Company, and would gladly have accepted the conditions drawn by your Counsel, had your Board approved them.

"The people of your Town are anxious for Electric Lights, and one of the expressed conditions in our Franchise was, that the work should begin at once in your Town.

"I desire, therefore, to notify you that I will commence work under my Franchise, and that I am prepared at any time to sign such reasonable contract or agreement as your Board may make."

Among the copies of electric lighting franchises filed with the Public Service Commission by the Richmond Light and Railroad

Company, there is a copy of a certified copy of a resolution said to have been adopted by the Town Board of the town of Southfield on August 30, 1897. The original certification was by Joseph A. Cody, town clerk, who states that the resolution was passed by the Town Board on the date mentioned and filed with him on the same date. Mr. Nichols states in his report, however, that there are 14 blank pages in the minute book of the Town Board of the town of Southfield, so that there are no recorded minutes of any meeting between July 30, 1897, and November 22, 1897. It appears, therefore, that this franchise cannot be verified from the official records.

Under this grant the company was authorized "to lay, erect and construct suitable wires or other conductors with the necessary poles and other fixtures in, on and over the streets, avenues, public parks and places in that part of the town of Southfield lying outside of the village of Edgewater, for the purpose of carrying on the business of lighting by electricity and conducting and distributing electricity in the furnishing of light, heat and power for commercial purposes only, to public and private parties." This franchise was granted subject to several conditions affecting location of wires, damages to property, insulation of wires, street work, employment of American citizens and residents, etc.

The company agreed to furnish and maintain free of charge "all necessary or proper electric lights for all fire department houses," not exceeding 15 25-candle-power lights for each house, and "all necessary electric lights in the public schools and Union Free School houses," the number of lights to be furnished for each school to be determined by the school commissioner of the County of Richmond or her successors. The company also agreed to pay $\frac{1}{2}$ of 1 per cent of its gross income for business done within that part of the town lying outside of the village of Edgewater, into the town treasury, each year for the first ten years, and thereafter to increase this payment to 1 per cent per annum.

The company was to file its acceptance of the franchise with the town clerk of the town of Southfield by the 1st of October, 1897, and its acceptance was to be "an assumption by it of all the conditions, requirements and regulations" contained in it, and

the grant was to be deemed a contract between the town and the company. The company's acceptance is not attached to this document and was not originally filed with the Public Service Commission among the franchise papers of the present operating company. However, among the papers left by the representatives of the company with the Commission at one of the hearings is a copy of this acceptance certified to by Joseph A. Cody, town clerk of the town of Southfield, in which Mr. Cody states that the acceptance was filed in his office September 18, 1897. The document is signed by Edward P. Doyle, president, and J. E. Comins, secretary, and was acknowledged by the latter on September 3, 1897.

7. *Village of Tottenville Franchise, 1897.*—The village of Tottenville was located in the old town of Westfield, which is now Ward 5 of the Borough of Richmond. The village was first incorporated by a special act of the legislature in 1869. It was reincorporated, however, under the General Village Law in 1894, and its area somewhat diminished. No record has been found of any electric lighting franchises granted prior to the reorganization of the village.

The only electric lighting franchise granted by the village of Tottenville seems to have been granted by the village board of trustees on November 17, 1897. It appears from a document filed with the City Division of Franchises that the original application of the New York and Staten Island Electric Company was dated April 20, 1897, and that in this application the company agreed to be subject to such reasonable regulations as might be prescribed by the village authorities. The company also promised, in case its application was granted, to light all public buildings in the village free of charge, to pay into the village treasury $\frac{1}{2}$ of 1 per cent of its gross receipts and to purchase the existing lighting plant of the village for the sum of \$250. Mr. Nichols states in his report that the company's application was received by the village board October 5, 1897, and was then placed on file to be taken up at the next regular or special meeting. He also states that the matter was taken up at two meetings in October, 1897, but final action was postponed until the counsel could advise the board as to whether or not the franchise could be granted for

fifty years. The counsel's advice seems to have been to the effect that this could not be done. The franchise was finally granted at a special meeting held November 17, 1897. Under this franchise permission was granted to the company for 25 years "to lay, erect and construct suitable wires or other conductors with necessary poles or other fixtures in, on, over and under the streets, avenues, highways, parks and public places of the village of Tottenville, for the purpose of carrying on the business of lighting by electricity and furnishing electricity for heat and power to the public and private parties in the said village of Tottenville."

This franchise was in the form of a contract, signed by the president of the village and the village clerk and by the president of the company. The company accepted the franchise subject to conditions rather more stringent and specific than usual. For example, the quality of the light, power and heat was to be approved by the village trustees and their engineer or their successors and legal representatives. Lamps, both arc and incandescent, were to be "operated constantly and without interruption during the continuance of said franchise when required for use, with the full strength of not less than 25 candle power for each incandescent lamp."

The company agreed to furnish, operate and maintain "all lights and lamps in all the public buildings of said village, including public schools, churches, village halls and fire department houses, now erected or that may be hereafter erected during the continuance of this franchise, and three arc lights to be placed where said board or its successors shall designate, free of charge; supplying such lamps as will thoroughly light such public buildings."

The company also agreed to pay to the village during the continuance of the franchise $\frac{1}{2}$ of 1 per cent of its gross earnings derived from business done within the village limits. The books of the company were to be opened for the inspection of the village so far as related to "the business, receipts and earnings" within the village limits.

The maximum charges to private consumers were not to exceed one cent an hour for a 16-candle-power electric incandescent lamp, and in the same proportion for other incandescent lights; and \$100 for an electric arc light. All electricity required was to be

operated constantly and without cessation or interruption during the continuance of the grant.

This franchise contained clauses similar to those in other franchises in Staten Island relating to bonds to assure faithful performance of the grant, care of wires, lamps and poles, supervision of street work, injury to property, etc. The company also agreed to bury its wires "under ground and in subways to be approved by said Board of Trustees" within four months after being notified or requested to do so by the trustees or their successors "at all crossings of streets, avenues, highways, parks and public places where life and health of the public are endangered by its suspended structure." The determination of the village authorities was to be final on this point.

The trustees stipulated that the franchise "should not be deemed to confer or in any wise construed to be an exclusive right or privilege to and upon said company, * * *, and it is not intended in any wise to prevent or prohibit said village from granting rights or privileges or making any grant, exacting any consent or agreement with any party or corporation for similar purposes or objects."

This franchise was to "become and be null and void and wholly cease and determine upon the failure of said company, its managers, successors and legal representatives to keep and perform each, every and all of the terms, conditions and provisions contained herein and prescribed hereby." The company agreed under such circumstances to remove all wires, structures, poles, etc., above and underneath the surface of the ground at its own expense, from all the parks, highways, roads, streets, avenues and lanes of said village, and to restore the streets and public places to their original condition. In case the company failed to remove its fixtures as required the village was given the right to do so at the cost of the company, its successors or legal representatives, "which it or they shall pay 30 days after demand in writing."

The franchise was not to become "effectual for any purpose whatever until and unless" the company filed with the village clerk within 10 days its written acceptance. In case it failed to do so and to file a copy of its certificate of incorporation "then its franchise shall be null and void and of no effect whatsoever

without any further action by or on the part of the village of Tottenville, its officers, successors and legal representatives." The only "acceptance" of this franchise shown in the documents filed with the Public Service Commission is the signature "New York & Staten Island Electric Company, Edward P. Doyle, President," attached to the document under the name of the village president. It appears, however, from the document already referred to as being filed with the City Division of Franchises that the company by a statement under its seal, signed by its president and secretary, accepted the franchise on the day it was granted.

8. *Town of Westfield Franchises.*—The town of Westfield became Ward 5 of the Borough of Richmond. Franchise-granting power seems to have been claimed by both the town board and the highway commissioners. The Richmond Light and Railroad Company now operates in this district. The following are the only electric light franchises granted by the town authorities of the old town of Westfield, so far as the Bureau of Franchises has been able to find.

A. Highway Commissioners franchise, 1897.—On May 12, 1897, the Commissioners of Highways of the town of Westfield passed a resolution consenting to the erection of poles and stringing of wires in the streets of the town by the New York and Staten Island Electric Company for the purpose of furnishing commercial and street lighting and heat or power. It was stipulated, however, that such consent should be subject to conditions and regulations to be adopted and approved by the Highway Commissioners, and should not be complete until the acceptance and "confirmation thereof" by the company. It was also stipulated that the company should pay for drawing all the necessary papers. On June 2, 1897, the commissioners adopted a resolution stating that while they favored the actual erection of suitable poles and wires and the lighting of all the highways, streets and avenues under their control, they did not believe it right and were not in favor of "donating valuable franchises beyond such roads upon which such proposed improvements will be actually commenced and completed in good faith during our term of office and surrounded with every safeguard." This resolution contained the further declaration that "wanton and unnecessary donations of valuable franchises be not given to corporations prior to our com-

ing change of government, nor without proper security against injury to our highways." As a part of this resolution the New York and Staten Island Electric Company was requested to name the streets upon which the company would agree "to commence such improvements forthwith and complete the same during our present term of office, pursuant to such terms and conditions as we shall be advised by our counsel, together with adequate security for the performance of all the terms and conditions thereof and for the protection of our highways."

The grant was finally perfected and spread upon the minutes of the commissioners on June 16, 1897. By this resolution the company was authorized to occupy with its electric lighting fixtures "such streets, highways, avenues, public parks and places in said town of Westfield as they the said company shall designate and describe, and which said places, streets, avenues and parks this board shall hereafter adopt by resolution." The grant was made on condition that the company should commence the erection of its poles for the supply of electric light, heat and power on the designated streets within 30 days from the date of the grant, and should continue its work to completion on or before January 1, 1898. The usual provisions in regard to poles, wires, trimming of shade trees, street work, etc., also appear, and the company agreed to "furnish, operate and maintain all necessary electric lights for all fire engines or fire apparatus or hook and ladder companies within the present limits of said town outside of the village of Tottenville, and replenish and keep the same in proper repair during the term of this consent and free of all charges and costs in consideration therefor." It was further stipulated "that this consent shall not be absolute nor bar this board or its successors from granting like privilege to any other persons or corporations which they may deem for the best interests of the people." It was also stipulated that the consent should not include the right to run trolley cars or to supply motive power for them without a further consent granted by the highway commissioners or their successors. The company was required to give security or bonds in the sum of \$10,000.

By another resolution adopted by the highway commissioners on September 1, 1897, the resolution just described was amended

by adding the following clause: "That such permission to lay, erect and construct suitable wires or other conductors with the necessary poles and other fixtures as therein set forth is extended to all streets, highways, avenues, public parks and places in the town of Westfield outside of the limits of the village of Tottenville in said town, subject, however, to the conditions and regulations set forth in said resolution, excepting requiring the same to be designated or described."

The franchise papers filed with the Public Service Commission by the present operating company do not include these resolutions of the Highway Commissioners of the town of Westfield.

B. Town Board franchise, 1897.—By resolution of the town board, September 23, 1897, an electric light franchise was granted to the New York and Staten Island Electric Company. By this franchise the company was given permission "to lay, erect and construct suitable wires or other conductors with the necessary poles or other fixtures, in, on, over and under the streets, avenues, highways, parks and public places of the town of Westfield, excepting the village of Tottenville, for the purpose of carrying on the business of lighting by electricity and furnishing electricity for heat and power to the public and to private parties in the said town of Westfield, excepting the village of Tottenville."

The special conditions which should be noted are that "the strength or power of said electricity [was] to be approved by said town board or its successors;" that the company agreed to furnish, operate and maintain "all lights and lamps in all the public buildings of the town, including public schools, churches, town halls and fire department houses now erected, or that may be hereafter erected, during the period of this franchise, free of charge, supplying such lamps as will thoroughly light such public buildings"; and that the company agreed to "bury all such wires and connections therewith under ground, and in subways to be approved by said Board within six months after being notified or requested so to do by the town board or its successors at all crossings of streets, avenues, highways, parks and public places where life and health of the public are endangered by its suspended structure and the determination of said Board or its successors shall be final."

The company's acceptance of this franchise is not shown in the records filed with the Public Service Commission.

It is recited in the "Whereas" clause of this franchise that the company has agreed to pay one-half of one per cent of its gross receipts into the town treasury. There is no such provision, however, among the conditions of the grant. Mr. Nichols states in his report that according to the records of the City Division of Franchises, Mr. Doyle appeared before the town board of the town of Westfield on April 30, 1897, as president of the New York and Staten Island Electric Company, offering one-half of one per cent of the company's gross receipts or \$500 in cash for a franchise, and that on May 6, 1897, the committee to which his application had been referred, reported in favor of making the grant, whereupon the minutes of the town board show that a motion was carried by unanimous vote granting a franchise to the company. It does not appear why the company saw fit to have the franchise granted again by the same authority in the September following.

XXIII. Corporate History of the Richmond Light & Railroad Company (Electricity Division), and its Predecessor Companies.

On August 1, 1902, the Richmond Light Company was incorporated under the Transportation Corporations Law. Its objects, as declared in its certificate of incorporation, were "manufacturing and using electricity for producing light, heat and power and in lighting streets, avenues, public parks and places and public and private buildings of cities, villages and towns within the State of New York." On August 18, 1902, the company filed an amended certificate of incorporation, changing its name to Richmond Light and Railroad Company, extending the period of its corporate life from 50 years to 1,000 years, and enlarging its powers to include the construction of not to exceed 25 miles of electric railroad. This amended certificate was filed under the provisions of chapter 676 of the Laws of 1892, amending section 21 of the Railroad Law.

In August, 1902, the Richmond Light Company and the Richmond Light and Railroad Company acquired by purchase the property of the Staten Island Electric Railroad Company, the Richmond County Power Company and the New York and Staten Island Electric Company. It is unnecessary in this report to

trace back the history of the Staten Island Electric Railroad Company, as this company never obtained any electric lighting franchises or did any electric lighting business.

The Richmond Power Company was incorporated June 27, 1900, under the Transportation Corporations Law, for the purpose of manufacturing and supplying electricity for light, heat and power in public and private places in the Borough of Richmond and City and State of New York and other purposes.

It will be noted that this company was incorporated after the County of Richmond had been annexed to the City of New York, and the records of the city do not show that the company ever received a franchise for the use of the streets. It is recited, however, in the mortgage of the Richmond Light and Railroad Company to the Guaranty Trust Company of New York, trustee, dated July 1, 1902, that certain real estate, together with electrical engines and other power machinery, were conveyed by the Richmond Power Company to the Richmond Light Company by deed dated August 13, 1902.

Prior to the change of the Richmond Light Company into the Richmond Light and Railroad Company, John Greenough, as permanent receiver, had conveyed the property and franchises of the New York and Staten Island Electric Company to the Richmond Light Company by deed dated August 16, 1902. The New York and Staten Island Electric Company was incorporated January 13, 1897, under the Transportation Corporations Law, for the purpose of manufacturing and using electricity for light, heat and power in public and private places. The amount of its capital stock was originally fixed at \$500,000, but was increased by a certificate filed December 27, 1897, to \$1,500,000. The company's certificate of incorporation recited that it was to operate in the town of Castleton, Richmond County, New York. As already set forth in this report, this company, during the year 1897, received franchises or electric lighting contracts, or both, from most of the villages and towns on Staten Island. No record has been found to show that the company ever amended its certificate of incorporation so as to include other towns and villages besides Castleton (New Brighton) within the declared field of its corporate operations. The company acquired, however, by bills of

sale dated February 10, 1897, various properties of the Richmond Borough Electric Company, the Port Richmond Electric Company and the Richmond County Electric Light Company, all of which had been operating in portions of Richmond County.

The Richmond Borough Electric Company had been incorporated August 24, 1896, under the Transportation Corporations Law, for the manufacture and use of electricity for light, heat and power in public and private places and for the sale of the same in New Brighton, Edgewater, Port Richmond and other towns located in the County of Richmond. The amount of the company's capital stock was fixed at \$400,000. In its bill of sale to the New York and Staten Island Electric Company "all of its property, rights, privileges and franchises and every part thereof, all and every interest therein" and more particularly as set forth in a schedule accompanying the bill of sale, were transferred in consideration of \$295,000 of the capital stock and \$200,000 of the first mortgage 5 per cent 50-year gold bonds of the New York and Staten Island Electric Company.

A reference in the minutes of the village of New Brighton, to which attention has already been called in this report, would seem to indicate that this company succeeded to all the rights and poles of the Electric Power Company of Staten Island. The latter company's "Livingston plant" was transferred on February 27, 1897, directly to the New York and Staten Island Electric Company by the receiver for the Electric Power Company. It is shown by Mr. Nichols' report that the property and franchises of the Electric Power Company were sold by the receiver in 1896 to William R. McCormick, and by him transferred in the same year to Austin B. Fletcher, who in all probability transferred them at some time prior to November 6, 1896, to the Richmond Borough Electric Company, although no positive proof of such transfer has been found in the records.

The Electric Power Company of Staten Island had been incorporated June 8, 1892, under the Business Corporations Law, to furnish, lease and sell electric light and power in the village of New Brighton, County of Richmond. This appears to have been a Wiman company, as William Dwight Wiman and Erastus Wiman were two of the five directors named for the first year.

The capital stock of the company was fixed at \$250,000. This company appears to have succeeded to a portion of the property of the Richmond Light, Heat and Power Company, Limited, through one of the Wimans. At any rate the Electric Power Company carried on public lighting in the villages of New Brighton and Edgewater after the Richmond Light, Heat and Power Company, Limited, had ceased to operate in those localities. An interesting sidelight is thrown on the history of this company by a letter now on file among the papers in the custody of the Deputy City Clerk at St. George, dated June 23, 1896, in which Henry Dun Wiman writes to the Board of Trustees of the village of Edgewater as the purchaser on behalf of the creditors of his father (Erastus Wiman) of the electric light plant at St. George and the poles and wires located in the village of Edgewater, and asks that the village renew its contract for public light with Albert B. Boardman, receiver of the Electric Power Company. He states that his father's creditors have control of the plant at Livingston.

The balance of the property of the Richmond Light, Heat and Power Company, Limited, not including the company's franchise, was sold under foreclosure of mortgage October 31, 1896, to the Richmond Borough Electric Company for the sum of \$95,000. The deed carrying this sale into effect was, according to Mr. Nichols' report, executed by George J. Greenfield, referee, on January 5, 1897.

The Richmond Light, Heat and Power Company, Limited, was incorporated April 7, 1887, under the Business Corporations Law of June 21, 1875, and its amendments. The purposes of the company as declared in its certificate of incorporation were "to produce, furnish and supply heat for dwellings and other buildings, and power for manufacturing, mechanical and other purposes, and to manufacture and supply artificial, electrical or gas light for lighting streets, avenues and public and private buildings and dwellings in the villages and towns of Richmond County." On July 15, 1887, the company filed a certificate increasing the amount of its capital stock from the original sum of \$50,000 to \$200,000. On February 8, 1888, the capital stock was further increased to \$300,000, but on October 10, 1890, the amount of

stock was decreased to \$150,000. As already shown, this company originally secured franchises or public lighting contracts in Edgewater, Port Richmond and New Brighton, but none of its franchises appears to have been transferred. It appears that as early as February 28, 1890, Erastus Wiman was president of this company. In a letter of that date W. Dwight Wiman certified to the Board of Trustees of the village of Edgewater that the wiring of the village hall had been properly done. It appears from another letter to the village trustees, dated May 16, 1892, that W. Dwight Wiman was general manager.

Mr. Nichols calls attention to the fact that this company was incorporated under the Business Corporations Law and was therefore not authorized to receive franchises from the local authorities for the use of the public streets. It should be noted in this connection that prior to the passage of the Transportation Corporations Law in 1890 many electric light companies had been incorporated under the General Manufacturing Corporations Law of 1848, and had received and operated local franchises. Other companies had been incorporated under the Gas Light Corporations Law of 1848 as amended in 1879.

The Port Richmond Electric Company was incorporated April 7, 1894, under the Transportations Corporations Law for the purpose of manufacturing and using electricity for light, heat and power in public and private places in the towns of Castleton, Northfield, Middletown, Southfield and Westfield, Richmond County, New York. This company appears to have been organized by Charles H. Ingalls of Port Richmond for the purpose of taking over a public lighting contract which he had received from the village of Port Richmond. The amount of the company's capital stock was fixed at \$50,000. By a bill of sale to the New York and Staten Island Electric Company, dated February 10, 1897, this company transferred "all of its property other than its real estate and buildings and fixtures, and all of its rights, privileges and franchises and every part thereof, and all and every interest therein" and more particularly as set forth in a schedule accompanying the bill of sale, in consideration of \$100,000 of the capital stock and \$75,000 of the first mortgage 5 per cent 50-year gold bonds of the New York and Staten Island

Electric Company. The property transferred is described in the schedule as follows: "All of the engines, boilers, dynamos, converters, transformers, meters, lamps, poles and wires now used by the company in supplying lights. All of the stock on hand and all of the personal property of whatever description now owned by the company."

Mr. Nichols states that on July 13, 1894, the Port Richmond Electric Company acquired from J. Frank Emmons the property and franchises of the Staten Island Light, Heat and Power Company, Limited, which Emmons had purchased at foreclosure sale on April 4, 1894, and which had been transferred to him by deeds on April 10, 1894. One of these deeds had been executed by Arthur H. Masten, master of the court, and one by the Staten Island Light, Heat and Power Company itself. In each of these deeds it is stated that the real and personal property of the company is transferred to Emmons as well as "all and singular the rights, privileges and franchises granted to the Electric Light Company under its contract with the village of Port Richmond, and which the Electric Light Company now hath and can exercise or shall hereafter acquire and possess under said contract."

In accordance with a report filed by counsel to the Board of Trustees of the village of Port Richmond December 6, 1889, it appears that the Staten Island Light, Heat and Power Company had been incorporated under the laws of New Jersey to carry out the terms of a contract awarded to the Montauk Construction Company as a result of its bid for public lighting in the village of Port Richmond submitted November 1, 1889, and accepted November 8, 1889. No record has been found in the Secretary of State's office at Albany of any certificate or statement filed there authorizing the company to do business in this state. The same may be said of the Montauk Construction Company. It appears that the property of the Staten Island Light, Heat and Power Company and whatever franchise rights, if any, it may have obtained from the village of Port Richmond, were transferred by the deeds already mentioned to the Port Richmond Electric Company in 1894.

The Richmond County Electric Light Company was incorporated September 8, 1896, under the Transportation Corporations Law for the purpose of manufacturing and using electricity for

light, heat and power in public and private places in the cities, villages and towns within the county of Richmond. Among the first incorporators of this company were E. P. Doyle and John E. Comins, later president and secretary respectively of the New York and Staten Island Electric Company. In the bill of sale executed by the Richmond County Electric Light Company to the New York and Staten Island Electric Company February 10, 1897, it is recited that the Richmond County Electric Light Company conveys "all of its property, rights, privileges and franchises and every part thereof, all and every interest therein," as more particularly described in a schedule accompanying the bill of sale, in consideration of \$100,000 of the capital stock and \$75,000 of the first mortgage 5 per cent 50-year gold bonds of the New York and Staten Island Electric Company.

It does not appear that the Richmond Borough Electric Company, the Port Richmond Electric Company and the Richmond County Electric Light Company were ever merged into the New York and Staten Island Electric Company.

To summarize, the Richmond Light and Railroad Company (Electricity Division) appears to have succeeded to the property of eight electrical companies, as follows:

Richmond Light & Railroad Company (Richmond Light Company). Incorporated August 1, 1902; charter amended August 18, 1902. Acquired by purchase —

Richmond County Power Company. Incorporated June 27, 1900.

New York & Staten Island Electric Company. Incorporated January 13, 1897. Acquired by purchase —

Richmond Borough Electric Company. Incorporated August 24, 1896, probably acquired by purchase franchises and part of property of

Electric Power Company of Staten Island. Incorporated June 8, 1892, acquired by purchase part of property of

Richmond Light, Heat & Power Company, Limited. Incorporated April 7, 1887.

Port Richmond Electric Company. Incorporated April 7, 1894, acquired by purchase

Staten Island Light, Heat & Power Company. Incorporated under the Laws of New Jersey, 1889, which had acquired by transfer public lighting contract of

Montauk Construction Company (probably a New Jersey Corporation).

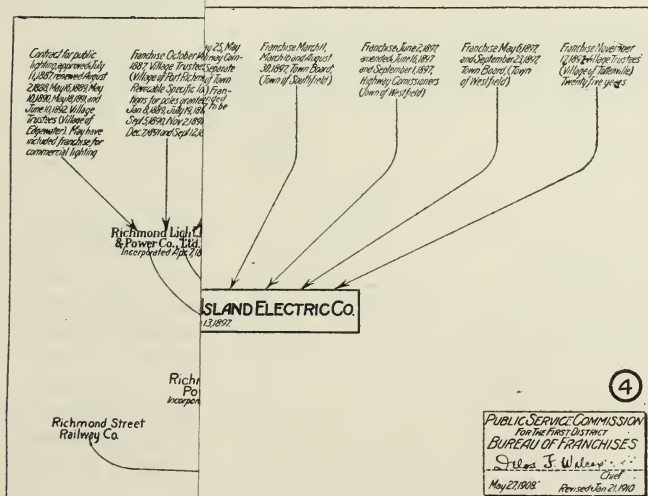
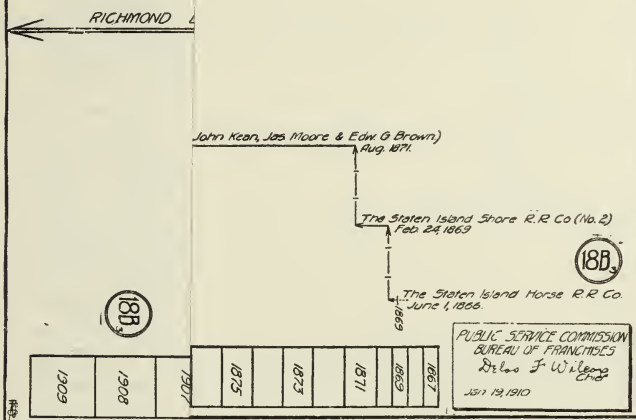
Richmond County Electric Light Company. Incorporated September 8, 1896.

The accompanying chart, entitled "Corporate History of Richmond Light & Railroad Company," shows the company's corporate development in both railroad and lighting divisions.

CORPORATE HISTORY OF RICHMOND LIGHT & RAILROAD COMPANY BOROUGH OF RICHMOND.

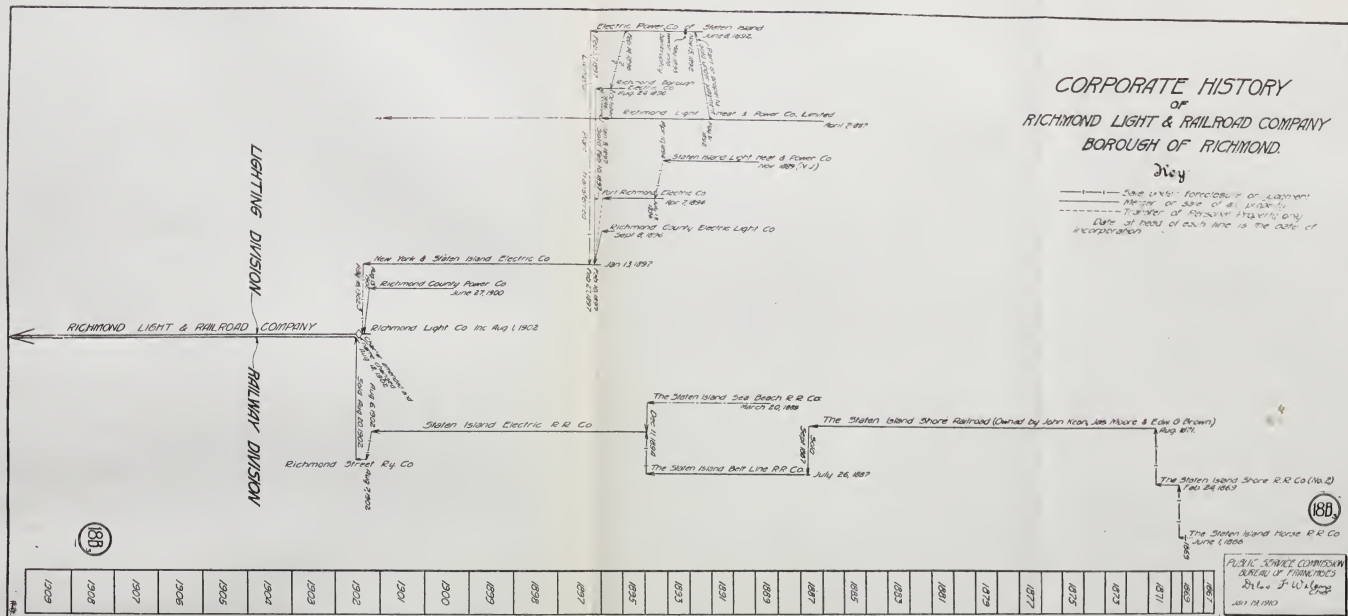
Key

- Sale under foreclosure or judgment
 - Merger or sale of all property
 - Transfer of Personal Property only
- Date at head of each line is the date of incorporation.



Key

----- Sale with foreclosure or judgment
----- Merger or sale of all property
----- Transfer of personal property only
Date at head of each line is the date of incorporation

[illegible]

PUBLIC SERVICE COMMISSION
FOR THE FIRST DISTRICT
BUREAU OF FRANCHISES
Doris J. Waleczek
May 27, 1993

XXIV. Existing Rights and Obligations of The Richmond Light and Railroad Company — Electricity Division.

The present rights of the Richmond Light and Railroad Company, so far as its electric lighting business is concerned, seem to be based upon the following original franchises granted by the local authorities of the old towns and villages of Staten Island and now claimed by the company, and in most cases filed with the Public Service Commission among the company's franchise documents:

- (1) Franchise granted March 9, 1897, by the Board of Trustees of the village of New Brighton to the New York and Staten Island Electric Company.
- (2) Franchise granted April 6, 1897, by the Board of Trustees of the village of Edgewater for a period of twenty years to the New York and Staten Island Electric Company.
- (3) Franchise granted September 10, 1896, by the Board of Trustees of the village of Port Richmond to the Richmond County Electric Light Company.
- (4) Franchise granted January 14, 1897, by the Commissioner of Highways of the separate road district of the town of Northfield to the Richmond County Electric Light Company.
- (5) Contract awarded December 31, 1897, by the Town Board for the separate road district of the town of Middletown to the New York and Staten Island Electric Company. This award appears on the minutes as being for a public street lighting contract for a period of ten years. There is no evidence to show that the contract was ever executed, and apparently the proceedings in regard to the matter did not vest in the company any franchise rights.
- (6) Franchise granted May 25 and May 26, 1897, and amended December 29, 1897, by the Highway Commissioners for the separate road district of the town of Southfield, to the New York and Staten Island Electric Company.
- (7) Franchise granted August 30, 1897, by the Town Board of the town of Southfield to the New York and Staten Island Electric Company.
- (8) Franchise granted June 2, 1897, and amended June 16, 1897, and September 1, 1897, by the Highway Commissioners of the town of Westfield to the New York and Staten Island Electric Company. No copy of this franchise was included among the papers filed by the present operating company.
- (9) Franchise granted September 23, 1897, by the Town Board for the town of Westfield to the New York and Staten Island Electric Company.
- (10) Franchise granted November 17, 1897, by the Board of Trustees of the village of Tottenville, for 25 years, to the New York and Staten Island Electric Company.

The various transfers of these franchises by which they came into the possession of the present company are shown in a graphical way on the accompanying chart entitled, "Electric Light and Power Franchises and Companies — Borough of Richmond."*

The validity of many of these franchises has been seriously questioned by Mr. Nichols, Engineer in Charge of the City Division of Franchises. He calls attention to the fact that the New York and Staten Island Electric Company, through which the Richmond Light and Railroad Company acquired all of its lighting franchises, was incorporated to carry on an electrical business in the town of Castleton, Richmond County, and that its certificate of incorporation was never amended to include other towns and villages in the county. He urges that under these conditions the company had no power to receive local consents for doing an electric lighting business outside of the town of Castleton, which, as already stated, was co-terminous with the village of New Brighton. This objection, if valid, would apply to all the franchises just enumerated except the first, and possibly the third and fourth. The latter two were originally granted to the Richmond County Electric Light Company, and were presumably valid. On Mr. Nichols' theory, however, they could not have been transferred to the New York and Staten Island Electric Company because the latter had no right to receive them.

Mr. Nichols makes the further point that after May 4, 1897, the date upon which the Greater New York charter was approved, the local authorities of the towns and villages had no power to grant franchises running past the period of their jurisdiction over the streets, which terminated December 31, 1897. In support of this proposition Mr. Nichols cites the case of *Blaschko v. Wurster*, 156 N. Y. 437, and *Hendrickson v. City*, 160 N. Y. 144, which are Court of Appeals cases, as well as two or three other cases decided by the lower courts. If this objection is well taken it would invalidate the fifth, sixth, seventh, eighth, ninth and tenth of the franchises above enumerated, all of these having been granted after May 4, 1897. It is clear from the decision of the court in the *Blaschko v. Wurster* case that no franchise granted after May 4, 1897, by the local authorities of municipalities included in the consolidation scheme could be granted for a longer

* Opposite page 394.

period than that fixed as a maximum in the Greater New York charter, that is to say, 25 years with possible renewals aggregating 25 years. It is also clear from the *Hendrickson v. City* case that the local authorities of the towns and villages had no power after the passage of the Greater New York Charter to enter into long-term contracts for public lighting that would bind the Greater City for many years past the expiration of the terms of office of the officials making the contracts. The court does not say just how far it might go in validating contracts extending over into the Greater New York period, but the decision makes it reasonably certain that no contract entered into by the town or village authorities after May 4, 1897, for a period as long as five years would be valid. This apparently would disbar any claim under the Middletown proceedings of December 31, 1897. In this particular case, however, as already stated, there is no evidence that a contract was actually executed, and the minutes of the local authorities do not show that any attempt was made to grant franchise rights other than such rights as were incident to the furnishing of public street lighting. It does not seem probable, however, that Mr. Nichols' point is well taken so far as it relates to the authority of the local bodies to grant franchises for a period of 25 years. There is reason to think that under the decisions, the town and village authorities had the same right to grant franchises after May 4, 1897, as before that date, except that the franchises could not be perpetual but would have to be limited to the periods prescribed in the charter of the Greater City. If this theory is correct it would appear that the franchises above enumerated granted by the Highway Commissioners and the Town Boards of Southfield and Westfield would be limited to 25 years from the dates of the several grants, and that the franchise granted by the Board of Trustees of the village of Tottenville, which was expressly limited to 25 years from November 17, 1897, would be valid so far as this point is concerned.

There is a further question in regard to the validity of certain franchises on account of the uncertainty as to what constituted the municipal authorities of towns or separate road districts within the meaning of the statute requiring their consent for the operations of electric light companies. If the Town Board was

the proper authority then franchises granted by the Highway Commissioners would be ineffectual. If, on the other hand, the Highway Commissioners were the proper authority franchises granted by the Town Board would be invalid. If the consent of both Town Board and Highway Commissioners was required then franchises granted by the two authorities on different terms and conditions would fall into an uncertain category. These questions apply primarily to the town of Northfield, where only the highway commissioner gave his consent, and to the towns of Southfield and Westfield, where both bodies gave franchises but on different conditions.

The electric franchises claimed by the Richmond Light and Railroad Company granted by the various towns and villages formerly having jurisdiction in the County of Richmond, were granted upon varying terms and conditions. Some of these franchises are long and elaborate, while others are brief and comprehensive. Only two of the nine franchise grants were specifically for limited periods. The most interesting features of the Staten Island electric franchises are those relating to compensation and free lighting service. The company's obligations along these lines in the several wards of the Borough of Richmond as set forth in the franchises may be summarized as follows:

- (1) First Ward, which is the same as the old village of New Brighton or town of Castleton.

Compensation in money.—One-half of 1 per cent of gross receipts for first 10 years, and 1 per cent thereafter, payable annually by January 15th.

Free lighting.—While company has contract for public lighting it must furnish all necessary lights for fire department houses (but not exceeding fifteen 25-candle-power lights for each), for village hall and for public schoolhouses.

- (2) The portion of Wards 2 and 4 included in the old village of Edgewater.

Compensation in money.—Three thousand dollars in cash within 20 days; one-half of 1 per cent of gross receipts for first 10 years, and 1 per cent for second 10 years, payable semi-annually June 1st and December 31st.

Free lighting.—While company has contract for street lighting it must furnish all necessary lights for fire department houses (not exceeding fifteen 25-candle-power lights to each), for village hall and for public schoolhouses; also three 5-light clusters for Washington Park.

- (3) Portion of Ward 2 not included in the old village of Edgewater, which is the same as the old separate road district of the town of Middletown.

No franchise and no obligations for money payments or free lighting.

- (4) Portion of Ward 3 included in the old village of Port Richmond.

Compensation in money.—One and one-half per cent of gross receipts for first five years; 3 per cent for second five years; 5 per cent thereafter.

Free lighting.—None.

- (5) Portion of Ward 3 not included in the old village of Port Richmond, which is the same as the old separate road district of the town of Northfield.

Compensation in money and free lighting.—None.

- (6) Portion of Ward 4 not included in the old village of Edgewater, which is the same as the town of Southfield outside of the village limits.

Compensation in money.—One-half of 1 per cent of gross receipts for first ten years, and 1 per cent thereafter: payable annually by January 15th.

Free lighting.—All necessary lights in public schools, fire department houses and churches.

- (7) Portion of Ward 5 not included in the old village of Tottenville, which is the same as the old town of Westfield, outside of the village limits.

Compensation in money.—None.

Free lighting.—Company must furnish all lights and lamps for all the public buildings, including schools, churches, town halls and fire department houses, "supplying such lamps as will thoroughly light such public buildings."

- (8) Portion of Ward 5 included in the old village of Tottenhamville.

Compensation in money.— One-half of one per cent of gross receipts, payable annually by January 15th; village counsel's fee of \$250; village engineer's fees to be agreed upon between him and the company.

Free lighting.— Three arc lights and such lamps as will thoroughly light all public buildings, including schools, churches, village halls and fire department houses.

For the purpose of exhibiting in parallel columns the various provisions of the franchises of the present operating company Tables IX and X entitled "Analysis of Electric Light Franchises claimed by the Richmond Light and Railroad Company," have been prepared.

TABLE IX.—ANALYSIS OF ELECTRIC LIGHT FRANCHISES HELD OR CLAIMED BY RICHMOND LIGHT AND RAILROAD COMPANY—OLD VILLAGE GRANTS.

Original grantee.	Richmond County Electric Light Co.	New York & Staten Island Electric Co.	New York & Staten Island Electric Co.	New York & Staten Island Electric Co.
Local authority.	Board of Village Trustees.	Board of Village Trustees.	Board of Village Trustees.	Board of Village Trustees.
Date of franchise	Sept. 10, 1896....	March 9, 1897.....	April 6, 1897.....	November 17, 1897.
Territory covered by franchise.	Village of Port Richmond.	Village of New Brighton	Village of Edgewater...	Village of Tottenville.
Area.....	.9 square miles...	5.2 square miles.....	3.7 square miles.....	1.1 square miles.
Population of district in 1910	12,701.....	27,201.....	21,603.....	3,568.
Duration of franchise.	.....	.....	Twenty years from date.	Twenty-five years.
Scope of franchise.	Electricity for light, heat and power.	Lighting by electricity and using electricity for heat and power.	Lighting by electricity and using electricity for heat and power.	Lighting by electricity and furnishing electricity for heat and power.
When operation required to begin.	.....	.....	.....	Within three months from date of grant.
Compensation in money.	One and one-half per cent of gross receipts for first five years; three per cent. for second five years; five per cent. thereafter.	One-half of one per cent. of gross receipts for first ten years; one per cent. of gross receipts thereafter, payable annually by Jan. 15th	Three thousand dollars in cash within twenty days; one-half of one per cent. for first ten years; one per cent. for second ten years; payable semi-annually June 1 and Dec. 31.	One-half of one per cent. of gross receipts; payable annually by Jan. 15; village counsel's fee of \$250; village engineer's fees to be agreed upon between him and grantee.
Free lights to be furnished.	.....	While grantee has contract for public lighting, all necessary lights for village hall, fire department houses (not exceeding fifteen 25-candle-power lights to each) and public school houses.	While grantee has contract for street lighting, all necessary lights for village hall, fire department houses (not exceeding fifteen 25-candle-power lights to each) and public school houses; also three 5-light clusters for Washington Park.	Three arc lights and such lamps as will thoroughly light all public buildings, including schools, churches, village halls and fire department houses.
Maximum rates for lighting.	.....	.....	Public lighting not to exceed bids of grantee for furnishing lights to other municipalities, \$17.50 per lamp per annum to be maximum.	Commercial rates, one cent an hour for 16-candle-power incandescent lights and "\$100 for an electric arc light."
Obligation to supply electricity.	.....	.....	So long as village asks for bids for street lighting grantee must offer to furnish lights.	All electricity required to be operated constantly during term of franchise when required for use. Electricity for heat and power to be constantly supplied, the strength to be approved by village authorities. Incandescent lights to be of 25-candle-power full strength.

TABLE IX.—ANALYSIS OF ELECTRIC LIGHT FRANCHISES HELD OR CLAIMED BY RICHMOND LIGHT AND RAILROAD COMPANY — OLD VILLAGE GRANTS — (Continued).

Right to regulate service reserved.	Subject to necessary and reasonable regulations prescribed by board of trustees.	.....	.....	Quality of light, power and heat to be approved by village trustees and village engineer, subject to State laws "and all reasonable regulations" by village trustees or engineer.
Publicity of accounts.	.....	.....	.....	Sworn report of gross receipts to be filed annually on Jan. 1. Books of account of grantee's "business receipts and earnings" within village limits open to inspection by village authorities.
Poles.....	.....	Must be thirty feet high, round or octagonal, neatly painted, color prescribed by village trustees.	Must be thirty feet high, round or octagonal, neatly painted, color prescribed by village trustees.	Must be at least thirty feet high, of iron, steel or wood; if of wood, straight and square or round; if round, of good sound timber, of uniform size, at least ten inches in diameter; neatly painted a color determined by village trustees.
Wires.....	.....	Must be properly insulated and dangerous places properly guarded or removed. Wires must be at least fifteen feet above crown of roadbed.	.....	Wires to be insulated; to be strung fifteen feet above crown of roadbed at crossing; to be kept in thorough working order.
Underground construction required.	.....	.....	.....	Grantee must bury wires at street crossings where public safety demands, within four months after notice from village trustees.
Excavations in the streets.	No work in streets, sidewalks or public places except according to plans filed, and approved by village trustees.	Streets to be restored within reasonable time to as good condition as they were in before excavations were made.	Streets must be restored to as good condition as before opening.	Must not interfere with safe passage of public; streets to be restored and surplus materials removed.
Right to inspect and supervise street work reserved.	.....	Underground construction, if any, to be under supervision of village engineer.	Underground construction to be under supervision of village engineer; tree trimming under supervision of village trustees.	.....
Trimming of trees.	.....	Trees not to be trimmed without consent of owners; trees upon sidewalks to be trimmed under direction of village engineer at grantee's expense.	Trees must not be trimmed without consent of village trustees.	Trees not to be trimmed without consent of owners.

TABLE IX.—ANALYSIS OF ELECTRIC LIGHT FRANCHISES HELD OR CLAIMED BY RICHMOND LIGHT AND RAILROAD COMPANY—OLD VILLAGE GRANTS—(Concluded).

Injury to buildings, fences, etc.	.....	Public or private buildings must be in nowise injured or destroyed.	.....	Buildings, trees, fences and other property not to be injured, interfered with or destroyed.
Indemnity bond.	.....	.....	.....	Before franchise takes effect and not later than Nov. 28, 1897, grantee must file bond of \$10,000 for faithful performance of franchise conditions. Grantee guarantees village against damages.
Labor conditions	.....	Company must employ American citizens, residents of Richmond county wherever practicable.	Company must employ residents of Richmond county wherever practicable.	.....
Filing certificate of incorporation.	.....	.....	.....	Grantee must file certified copy of certificate of incorporation within ten days, in default of which franchise to be void without further action by village.
Acceptance of franchise required.	.....	Franchise conditional upon acceptance with assumption by grantee of all conditions.	Franchise in form of contract.	Must file acceptance within ten days. Also franchise in form of contract signed by company.
Date of filing acceptance.	.....	Accepted, but no date given.	April 6, 1897.....	Contract signed November 17, 1897.
Grant exclusive..	No.....	.....	.....	No.
Grantee's "successors or assigns" recognized in franchise.	No.....	Yes.....	Yes.....	Yes.
Number of times franchise has been transferred.	Two.....	One.....	One.....	One.
Forfeiture.....	.....	.....	.....	Franchise to be forfeited if company fails to perform any of its conditions for fifteen days after written notice from village. In case of forfeiture grantee agrees to remove apparatus from streets or pay the cost within thirty days after demand in writing.

TABLE X.—ANALYSIS OF ELECTRIC LIGHT FRANCHISES HELD OR CLAIMED BY RICHMOND LIGHT AND RAILROAD COMPANY — OLD TOWN GRANTS.

Original grantee..	Richmond County Electric Light Co.	New York & Staten Island Electric Co.	New York & Staten Island Electric Co.	New York & Staten Island Electric Co.	New York & Staten Island Electric Co.
Local authority...	Commissioner of highways.	Highway commissioners.	Town board....	Highway commissioners.	Town board.
Date of franchise..	Jan. 14, 1897....	May 25 and May 26, 1897; amended Dec. 29, 1897.	Aug. 30, 1897....	June 2 and 16, 1897, amended Sept. 1, 1897.	Sept. 23, 1897.
Territory covered by franchise.	Town of Northfield outside of village of Port Richmond.	Town of Southfield outside of village of Edgewater.	Town of Southfield outside of village of Edgewater.	Town of Westfield outside of village of Totenville. Streets to be selected by company. Amended Sept. 1, 1897, to include all streets	Town of Westfield outside of village of Totenville.
Area.....	14.8 square miles.	10.5 square miles	10.5 square miles	15.9 square miles.	15.9 square miles
Population of district in 1910.	7,111.....	3,995.....	3,995.....	7,855.....	7,855.
Duration of franchise.	"Shall not be revocable except by due process of law."	Originally unlimited; made "perpetual" by amendment Dec. 29, 1897.	.....	.....	.....
Scope of franchise.	Electric lighting and power.	Lighting by electricity; using electricity for heat and power and furnishing heat, power and light to public and private parties.	Electricity for light, heat and power "for commercial purposes only."	Lighting by electricity; using electricity for heat and power and furnishing light, heat and power to public or private parties. Not to include right to run trolley cars or supply motive power therefor without further consent.	Lighting by electricity and furnishing electricity for heat and power.
When operation required to begin.	.....	.....	.....	Work to commence within thirty days from date of grant; be completed Jan. 1, 1898.	Within two months from date of grant.
Compensation in money.	.....	.....	One-half of one per cent. of gross receipts per annum for first ten years, and 1 per cent. thereafter; payable annually by Jan. 15.	.....	.....

TABLE X.—ANALYSIS OF ELECTRIC LIGHT FRANCHISES HELD OR CLAIMED BY RICHMOND LIGHT AND RAILROAD COMPANY—OLD TOWN GRANTS—(Continued).

Free lights to be furnished.	.....	All necessary lights in public schools, fire department houses and churches, number to be determined by highway commissioners.	All necessary or proper electric lights for fire department houses (not exceeding fifteen 25-candle-power lights to each); all necessary lights for public schools, number to be determined by county school commissioner.	All necessary electric lights for all fire engines or fire apparatus or hook and ladder companies within the limits of the town outside of the village of Totenville.	Lights for public buildings, including schools churches, town halls and fire department houses "supplying such lamps as will thoroughly light such buildings."
Obligation to supply electricity.	.....	.....	.....	Must furnish light for public streets and buildings as grantee may contract for.	Electricity for heat and power to be constantly supplied during term of franchise, its "strength or power" to be approved by the town board
Poles.	.....	To be at least twenty-five feet high, round or octagonal, kept neatly painted, color and kind of paint to be determined by highway commissioners.	Must be thirty feet high, round or octagonal, straight and neatly painted, color determined by town authorities.	Must be at least thirty feet high and be kept at all times neatly painted.	To be at least twenty-five feet high above ground; straight, square or round; if round, of uniform size not less than eight inches in diameter; of sound timber; neatly painted a color determined by town board.
Wires.	.....	To be strung fifteen feet above crown of road-bed at street crossings; properly insulated.	.....	Must be safely insulated and dangerous places properly guarded or removed. Must be strung at least fifteen feet above crown of road-bed at street crossings.	Wires and other appliances to be kept in thorough working order during term of franchise.
Underground construction required.	.....	When grantee puts wires underground, it must do so at its own expense	.....	.....	Grantee must bury wires at crossings where public safety demands, within six months after notice by town board.
Excavations in streets.	Grantee may enter upon the street for work "at all reasonable times."	.....	Streets to be restored to as good condition as before opening. Streets to be obstructed as little as possible and never left in dangerous condition.	All earth and macadam pavement to be replaced in as good condition as before.	Must not interfere with safe passage of public; streets to be restored and surplus materials removed.

TABLE X.—ANALYSIS OF ELECTRIC LIGHT FRANCHISES HELD OR CLAIMED BY RICHMOND LIGHT AND RAILROAD COMPANY—OLD TOWN GRANTS—(Concluded).

Right to inspect and supervise street work reserved.	.....	Underground work to be done in accordance with directions and under supervision of highway commissioners.	Underground construction, if any, to be under supervision of town authorities; trimming of town trees to be under supervision of town authorities.	Street work to be done under supervision of inspector appointed by highway commissioners and paid by company. Also to be done subject to further directions of highway commissioners.	Construction to be under supervision of inspector appointed by town board, to be paid \$3 a day by grantee
Trimming of trees.	.....	.....	Trees not to be trimmed without consent of owners.	Trees not to be interfered with or trimmed without consent of owners; trees on sidewalks to be trimmed subject to further direction of highway commissioners at grantee's expense.	Trees not to be trimmed without consent of owners.
Injury to buildings, fences, etc.	.....	.....	Grantee not to injure, interfere with or destroy public or private buildings.	Public or private buildings must in nowise be injured or destroyed.	Buildings, trees fences and other property not to be injured, interfered with or destroyed.
Indemnity bond.	.....	.....	.....	Bond of \$10,000 with two sureties, freeholders in New York. Each to justify in double the amount to insure compliance with terms and to indemnify town against damages.	Grantee to indemnify the town against loss occasioned by operations under franchise.
Acceptance of franchise required.	.....	Grant in the form of a contract signed by both parties.	Franchise conditioned upon acceptance by Oct. 1, 1897.	Copy of resolution to be mailed to president of company.	.....
Date of filing acceptance.	.....	May 26, 1897...	Sept. 18, 1897...	.....	.....
Grant exclusive...	.....	.....	.....	No.....	.....
Grantee's "successors or assigns" recognized in franchise.	No.....	No.....	Yes.....	No.....	No.
Number of times franchise has been transferred	Two.....	One.....	One.....	One.....	One.

The matter of free lighting, especially to churches and fire department houses, has been called to the attention of the Commission on several occasions by interested parties living in various portions of Richmond County. At the hearing held June 23, 1909, the matter of free lighting was taken up with the company's representatives, Mr. James F. Sims, Mr. J. E. Phillips and Attorney Adrian H. Larkin. The testimony on this point indicates that the company had not been paying all of the cash payments and had not been furnishing all of the free lighting required by the grants. The explanation offered of the former was that the company did not know what it was making because of the many unsettled bills which it held against the city. As to the latter, the company had billed the city for public buildings, even though the franchises required lighting to be furnished free. In some instances, where semi-public institutions had been charged, the payments had been rebated.

EXHIBIT I.

POPULATION AND AREA OF ELECTRIC LIGHT FRANCHISE DIVISIONS
OF GREATER NEW YORK.

OLD NAME OF POLITICAL SUBDIVISION.	Area in sq. miles within present city limits.	Population 1910.	Present operating companies owning, controlling or claiming franchise rights.
City of New York (prior to June 5, 1895).	41.40	2,713,369	New York Edison Company. United Elec. Lt. & Pr. Co. Long Acre Elec. Lt. & Pr. Co.
Town of Westchester (exclud- ing village of Williamsbridge).	13.20	31,958	Bronx Gas & Electric Co.
Village of Williamsbridge.....	1.20	9,750	Westchester Lighting Co.
Village of South Mt. Vernon (or Wakefield).	1.25	4,440	Westchester Lighting Co.
Village of Eastchester.....	1.10	500	Westchester Lighting Co.
Town of Pelham.....	3.20	2,467	Westchester Lighting Co.
City of Brooklyn (excluding New Utrecht and Flatlands).	47.20	1,539,823	Edison Electric Illuminating Company of Brooklyn.
City of Brooklyn.....	77.60	1,634,351	Edison Elec. Ill. Co. of Brooklyn (through control of Amsterdam Elec. Light & Power Co.)
Town of Flatbush (included in territory of Edison Elec. Ill. Co. of Brooklyn).	5.90	73,047	Flatbush Gas Company.
City of Long Island City.....	7.30	61,763	New York & Queens Elec. Light & Power Company.
Town of Newtown.....	23.00	105,219	"
Town of Flushing (excluding villages of Flushing, White- stone and College Point).	28.80	9,212	"
Village of Flushing.....	1.65	15,366	"
Village of Whitestone.....	2.10	4,000	"
Village of College Point.....	1.90	8,563	"
Town of Jamaica (excluding villages of Jamaica and Rich- mond Hill).	52.70	37,245	"
Village of Richmond Hill (fran- chise for Broadway only).	1.00	12,676	"
Village of Jamaica (no franchise).	3.50	17,491	"
Town of Hempstead (portion within city limits, excluding village of Far Rockaway).	5.40	7,589	Queens Borough Gas and Electric Company.
Village of Far Rockaway.....	2.30	4,887	"
Village of Rockaway Beach (in- cluded in Town of Hemp- stead).	.....	.....	"

EXHIBIT I. (Continued).

OLD NAME OF POLITICAL SUBDIVISION.	Area in sq. miles within present city limits.	Population 1910.	Present operating companies owning, controlling or claiming franchise rights.
Village of New Brighton (Town of Castleton).	5.20	27,201	Richmond Light & R. R. Co.
Village of Port Richmond.	.90	12,701	"
Town of Northfield (excluding village of Port Richmond).	15.00	7,111	"
Village of Edgewater.	3.70	21,609	"
Town of Middletown (outside of village of Edgewater. No franchise).	5.00	1,929	"
Town of Southfield (outside of village of Edgewater)	10.50	3,995	"
Village of Tottenville.	1.10	3,568	"
Town of Westfield (excluding village of Tottenville).	15.90	7,855	"

SUMMARY.

PRESENT OPERATING COMPANIES.	Area of franchise rights in sq. miles.	Population of franchise territory, 1910.
New York Edison Company.	41.40	2,713,369
United Electric Light & Power Company.		
Long Acre Electric Light & Power Company.		
Bronx Gas and Electric Company.		
Westchester Lighting Company.	13.20	31,958
Edison Electric Illuminating Company of Brooklyn.	6.75	17,157
Flatbush Gas Company (also included in area of Edison Elec. Ill. Co. of Brooklyn).	77.60	1,634,351
New York & Queens Electric Light and Power Company.	5.90	72,351
Queens Borough Gas and Electric Company.	121.95	271,535
Richmond Light and Railroad Company.	7.70	12,476
	57.30	85,969

NOTE: In the above summary areas are included in some cases where the companies' franchise rights are doubtful, while areas are excluded where the companies have no claim to franchises except through the automatic operation of territorial expansion of the political subdivisions from which the franchises were originally acquired.

EXHIBIT II.

ELECTRIC LINES FRANCHISE.

The New York Electric Lines Company was incorporated in 1882 for the purpose of laying wires underground to be leased to telegraph, telephone and electric light companies. This company differed from the electrical subway companies later organized in that its purpose was not to construct conduits and rent duct space for the wires of other companies, but to lay its own wires and lease them to other companies for use.

The petition of the company for a franchise was presented to the Board of Aldermen January 9, 1883, and referred to the Committee on Ferries and Franchises. In its petition the company stated that over thirty companies in the city used electricity for various purposes, and that their wires, poles and cross-arms were so numerous as to be a positive nuisance. Of this entire number only two or three companies were able to put their wires underground. The New York Electric Lines Company proposed to do this for all companies on equal terms.

On January 30 of that year the Committee on Ferries and Franchises reported that it had given a public hearing in regard to the matter and that no one had appeared to oppose the granting of the franchise. In reporting favorably upon the company's petition, the committee said:

"It appears to your Committee that there has come to be a public necessity that the overhead wires should be put under the ground, and that their unsightly poles should be removed from our streets. The net works of these wires have enormously increased and perhaps quadrupled in the last five years. The public inconvenience and the danger of these wires in case of fire, the great loss of life occasioned by them in recent signal instances, have raised a public clamor to which the newspaper press has given vehement expression throughout the United States. It has come to the notice of your Committee that in no cities of civilized nations except the United States have above-ground poles and their wires been tolerated. There are none in London, Paris, or Berlin, nor in any other principal European city. Your Committee believe that what is practicable in Europe is practicable in New York. It is presented that there is now being made in our State Legislature a determined effort by compulsory enactment to cause the removal of the wires and poles from the air spaces of the larger cities of the State. It seems to your Committee that adequate provision should be made in this City in ample time to meet the requirements

of such state legislation. It has been shown to your Committee that the Company seeking the present permission is possessed of and proposes comprehensive and efficient plans of laying a complete system of underground wires in this City in the shortest possible time, and so as to be permanent and without after annoyance in our streets.

"The feature, however, most favorable in the view of your Committee is that the New York Electric Lines Company proposes no monopoly in favor of any one large telegraph company, but that its lines shall be free on equal terms to all the numerous minor companies doing business in the City of New York, thus making it expedient that the work of putting wires underground may be done once for all, and making it unnecessary that the streets shall be continuously dug up for an indefinite time to come by a multitude of contending and rival companies. It has come to the knowledge of your Committee that such a comprehensive provision has already been secured by law in Boston, Mass., and is contemplated in many other cities of the country.

"In view, therefore, of the numerous public advantages and benefits to be gained by the adoption of adequate measures for placing all telegraph, telephone and electric light wires under ground out of harm and annoyance and danger in the proper use of the public thoroughfares of this City, and as a means of beautifying our streets and avenues of residences by the removal of the rough and towering poles and the wires now encumbering them, your Committee recommend granting the petition of the said New York Electric Lines Company and submit herewith for adoption by your Board the annexed resolutions."

The Board of Aldermen recommitted the matter to the Committee on Ferries and Franchises with instructions to ascertain the character and standing of the company and the names of its officers and directors. On the next day, January 31, the *New York Times* in a news article and an editorial stated that it had looked up the backers of the New York Electric Lines Company. According to the *Times* it looked as if the company was organized with the knowledge of the Western Union Telegraph Company. The company had been incorporated in October, 1882, by Sidney F. Shelbourne, William Force Scott, George L. Weed, Herbert P. Brush and Edward Barr.

Six weeks later, on March 13, 1883, the Committee on Ferries and Franchises again reported favorably upon the proposed franchise, with certain conditions additional to those contained in the first draft of the resolution. The committee did not report as to the standing of the company or the identity of its officers and directors. The franchise was passed, however, by a vote of 21 to 3. The *Times* stated the next morning that the franchise had been

railroaded through with no chance for discussion except on roll-call.

Two weeks later, however, the Board of Aldermen received from Mayor Franklin Edson a communication disapproving of the franchise resolution. In support of his veto Mayor Edson said:

"The right to use the public streets for purposes which involve the tearing up of pavements, excavations in the street and the consequent obstruction of crowded thoroughfares, with all the damage, annoyance and danger to life, limb and health which such obstructions and excavations occasion, should be granted only when great public benefits are to be realized. In the case of the overcrowded 'downtown' streets of the City such rights should not be granted unless these public benefits are positively assured and the work undertaken either by individuals or companies of undoubted responsibility and legality, or else by the City.

"The petition of Sidney F. Shelbourne, President, in behalf of the New York Electric Lines Company recites that 'the said Company was incorporated and organized under the laws of this State for the purpose of constructing, laying and maintaining lines or trains of wires in the Cities of New York and Brooklyn.' It appears from such investigation as I have been able to make that this Company at present exists only on paper and that its further development depends upon it obtaining the right to lay and maintain lines or trains of wires under the streets of New York and Brooklyn, which wires it proposes to lease to such corporations or individuals as may have occasion to use them for electrical purposes, and that from these sources alone the revenue of the Company is to be derived.

"It does not appear that the Electric Lines Company can in any sense be called a telegraph company, for it does not, as I understand it, propose to carry on to any extent the business of telegraphing, and I am advised that it is at least doubtful whether under existing general laws of the State such a company may be formed or not. If, however, such a company can be formed under existing laws the fact remains that the right to lay wires under the streets of this City has already been granted to three other companies, which have the wires and are already using them for electrical purposes, and the further fact that there is no sufficient evidence that the methods and devices proposed to be employed by the Electric Lines Company will answer the purposes for which they are intended. To grant the right asked for in the petition of Mr. Sidney F. Shelbourne would, in my opinion, be again to surrender the streets of the city for experimental purposes to a company of unknown responsibility, which would involve tearing up of pavements in any and all the streets and excavations therein to an unknown extent. In my opinion the privilege should not be granted."

The Mayor appended to his veto message a communication from the Corporation Counsel, George P. Andrews, in which the latter called in question the legality of the incorporation of such a company as the Electric Lines Company under the then existing general laws of the State.

On April 10 following, the Board of Aldermen took up the franchise and passed it over the Mayor's veto by a vote of 19 to 5. In the *New York Times* for April 11 Alderman O'Connor was quoted as saying with reference to this franchise that "he was convinced from the way the franchise had been handled that it might be called a child of fear, born of fraud, and having for its nurse a New York Board of Aldermen."

The franchise was accepted by the company under date of April 16, 1883. In its acceptance the company specifically obligated itself to observe "all the requirements, provisions, restrictions, conditions and limitations" contained in the franchise. These conditions were as follows:

First.—The company was to lay its conductors in spaces set apart for that purpose under the ordinance of December 10, 1878, reserving two lines along each route for the use of the City free of charge—one for the Police Signal System and one for the Fire Alarm Service. Under the terms of the ordinance referred to, no telegraph line or electrical conductor could be laid under the streets at such a depth from the surface that the necessary excavation would expose or endanger water or gas pipes or sewers or drains. In no case were the wires or conductors to be placed further than four feet from the curbstone, except in crossing streets, and the space used for placing such wires was in every case to be limited to two feet in width and two feet in depth.

Second.—Wherever the company should find it impossible to use the spaces described in the ordinance of 1878 on account of interference with manholes of sewer, gas, steam or water mains, or other underground impediments, the company was to vary the space by using equivalent spaces, with as little deviation from the original plan as possible.

Third.—In constructing its connection vaults and test boxes the company was not to extend them underground more than four feet in depth or two feet in any lateral direction beyond the limited spaces contemplated for lines of wires in the ordinance of 1878.

Fourth.—The company was required, in addition to furnishing free wires to the City, to pay into the city treasury, within ten days after taking up pavements, for each one thousand feet

in length of trench to be excavated “the maximum sum or sums of money which have been or which may hereafter be required of grantees or licensees to be paid under any general or special ordinance of the Common Council heretofore enacted, authorizing the laying of electrical conductors under the streets of the City.”

Fifth.—The company was forbidden to transfer or dispose of the franchise without the further authority of the Common Council.

Sixth.—The company was forbidden to make any discrimination among individuals and corporations in the rental and use of its wires.

Seventh.—An option was reserved to the City at any time after January 1, 1885, to require the company to pay into the city treasury two per cent of its gross receipts in lieu of the donation to the City of the two wires in each line of conductors provided for in the general ordinance already referred to.

After the Commissioners of Electrical Subways were appointed to carry out the provisions of chapter 434 of the Laws of 1884, and chapter 499 of the Laws of 1885, the New York Electric Lines Company applied on July 27, 1886, to the Commissioner of Public Works for a permit to make excavations in certain streets of the City for the purpose of laying its conductors. This permission was refused and the company took the matter to the courts, but lost its case. The Court of Appeals decided in the case of *People ex rel. New York Electric Lines Co. v. Squire*, 107 N. Y. 593, that the company must first get the approval of the Electrical Subway Commissioners for its plans of construction before having any right to open the streets. The company had already submitted plans to the Subway Commissioners, but the plans had been rejected and the Subway Commissioners had accepted the plans of the Consolidated Telegraph & Electrical Subway Company and had entered into a contract with the latter company to construct the electrical subways needed in the old City of New York. The New York Electric Lines Company thereupon became quiescent, and continued so until 1905, when it made a new effort to get permission to construct subways or conduits under the surface of certain streets in New York. Permission was again refused by the city authorities and their action was

sustained by the courts on the ground that the right of the New York Electric Lines Company to construct its own subways lapsed in 1886, when it failed to secure the approval of the Subway Commissioners, and the City entered into a contract with the Consolidated Telegraph & Electrical Subway Company for the construction of electrical subways. (See *People ex rel. New York Electric Lines Co. v. Ellison*, 188 N. Y. 523.)

EXHIBIT III.

AREAS IN MANHATTAN AND THE BRONX SUPPLIED BY EDISON COMPANIES PRIOR TO CONSOLIDATION.

The map of the mains of the Edison Electric Illuminating Company of New York as they existed on December 31, 1899, just prior to the time when this company absorbed its allied companies, shows a net work of mains through the center of Manhattan as far north as East 95th Street. South of Canal Street the mains extended from river to river, except for a small district in the East Broadway section. North of Canal Street the mains covered several blocks on either side of Broadway and Fifth Avenue as far north as 59th Street. On the lower west side there was a line with several branches extending up Hudson Street as far as 14th Street. Above 59th Street the mains were for the most part limited to that section of the City east of Central Park between Lexington and Fifth Avenues.

The Edison Company also furnished a map showing the service of the Manhattan Electric Light Company, including the Harlem Lighting Company and the Madison Square Light Company, dated February 21, 1899. It will be remembered that these companies had been under the control of the Edison Company for a number of years prior to that time, but that their operating systems were kept separate for the reason that they used high tension wires and supplied alternating current. The principal lines of these companies as shown on this map were on the following streets: On Avenue A from Houston Street to 24th Street, and from 54th to 92nd Street; on First Avenue, from Houston to 125th Street; on Second Avenue from 14th to 128th Street; on Third Avenue and the Bowery from near Chatham Square to 130th Street; on Fourth Avenue from the Bowery to 42nd Street; on Broadway from Worth to 59th Street; on Sixth Avenue from 14th to 59th Street; on Seventh Avenue from 23rd to 59th Street; on Eighth Avenue from 14th to 59th Street; on West 8th Street and East 10th Street from Sixth Avenue to the East River; on 14th Street from the North to the East River; on 23rd Street from Seventh Avenue to the East River; on 34th Street from Sixth Avenue to the East River; on 42nd Street from

Sixth Avenue to Third Avenue; on 59th Street from Ninth Avenue to First Avenue; on 80th and 86th Streets from Third Avenue to the East River; on 125th Street from Lenox Avenue to the East River.

There were a few other short lines branching out from the main lines just enumerated.

The map of the circuits of the Mount Morris Electric Light Company, dated January 1, 1898, shows that the mains of this company were located almost exclusively in the westerly half of Manhattan. The area south of 14th Street and west of Broadway was pretty well covered by this company's mains. Quite a number of streets on the east side of Broadway below the City Hall were also occupied. The company also had mains running up Ninth and Columbus Avenues from Little West 12th Street to 108th Street, with branches running through a number of cross streets. On Eighth Avenue the company had mains from 102nd Street north to the Harlem River, with various branches. On Lenox Avenue there were mains from 111th Street north to 136th Street, and on Amsterdam Avenue from 154th Street north to 182nd Street. It appears that the Mount Morris Company's lines north of 136th Street are not now maintained by the New York Edison Company, all that territory having been abandoned to the United Electric Light & Power Company for operating purposes.

The service of the North River Electric Light & Power Company and of its predecessor, the North New York Lighting Company, was overhead service entirely, and was confined to that portion of The Bronx west of the Bronx River. According to a map showing conditions about January 1, 1899, the district below East 149th Street was pretty well covered with lines. North of that street there were lines on the Southern Boulevard as far as Westchester Avenue; on Westchester Avenue, on Boston Road, on Franklin Avenue, on Third Avenue, on Washington Avenue, on Park Avenue, on Webster Avenue to 179th Street, and from Fordham north to East 200th Street; on Jerome Avenue to Kingsbridge Road; on Sedgwick Avenue to Featherbed Lane; on East 161st Street from Central Bridge to near Westchester Avenue; on Tremont Avenue from Jerome Avenue to Boston Road; on Kingsbridge Road and West 230th Street from Fordham to Spuyten Duyvil Road; on Broadway from the first street

south of Spuyten Duyvil Creek to 242nd Street; on Sedgwick Avenue from Kingsbridge Road to Van Cortlandt Street, and on a number of other less important streets.

Only two maps showing electric light lines laid under "franchises" from the Board of Electrical Control have been furnished. One of these shows the Manhattan Lighting Company's lines uptown under date of October 28, 1899. This included the lines of the Block Lighting Company. The mains shown on this map were on both sides of Broadway from 22nd to 32nd Street, thence north on the east side of Broadway to 34th Street, with one line through Sixth Avenue from 34th Street to 31st Street and through 31st Street from Sixth Avenue to Fifth Avenue. The total length of mains and feeders was shown as 8,100 feet, all single conductor cables. The other map was an original, showing the lines of the New York Heat, Light & Power Company, dated October 4, 1898. It is to be noted that this company's mains were primarily for the distribution of power. They covered the portion of the City below Chambers Street with quite a net work of wires. This map shows 41,157 feet of ducts occupied by this company, and 34,318 feet of ducts assigned to the company but unoccupied.

A table is in evidence showing the mileage by years of the Edison underground system from 1881 down to and including 1908, except for certain of the early years for which there are no records. Other tables show the mileage of ducts assigned by the Consolidated Telegraph & Electrical Subway Company to various electric light and power companies for the years 1889 to 1903, inclusive, and the mileage of ducts assigned by the high tension subway company to the New York Edison Company for the years 1904 to 1908 inclusive. These two tables were not prepared on quite the same basis. One shows the miles of Edison circuits actually in use in conduits; the other shows the miles of high tension ducts rented to the various electric light and power companies, whether occupied or not. It is possible, however, from these two exhibits to make up a statement which will show approximately the relative importance of the various companies at a given date. On December 31, 1899, the mileage of ducts occupied or held for occupancy by the electrical conductors of the

various original electric light and power companies in the New York Edison system was substantially as follows:

	Miles.
Low tension ducts of the Empire City Subway Company, Limited:—	
Edison Electric Illuminating Company.....	264
High tension ducts of the Consolidated Telegraph & Electrical Subway Company:—	
Edison Electric Illuminating Company of New York.....	38
East River Electric Light Company.....	9
Thomson-Houston Electric Company.....	3
Madison Square Light Company.....	4
Manhattan Electric Light Company, Ltd.....	42
Harlem Lighting Company.....	10
Total for the Edison and affiliated companies.....	106
Mount Morris Electric Light Company.....	38
New York Heat, Light & Power Company.....	9
Block Lighting & Power Company No. 1 (purchased by Manhattan Lighting Company)	2
Total for the companies affiliated with the Power Company..	49

Rearranged according to franchises under which these mains were laid the mileage of ducts held for occupancy would be as follows:

Under the original Edison franchise.....	302
Under the East River franchise.....	20
Under the Harlem franchise	10
Under the Mount Morris franchise.....	38
Total under valid franchises.....	370
Under the Manhattan Electric Light Company, Limited, "franchise"..	38
Under the New York Heat, Light & Power Company "franchise"....	9
Under the Block Lighting & Power Company No. 1 "franchise" (purchased by Manhattan Lighting Company).....	2
Total under invalid franchises.....	49

It should be noted that these figures do not include overhead lines, which for the most part were being operated at that time by the North River Electric Light & Power Company in the Borough of The Bronx under a valid franchise.

The date selected for this comparison, namely, December 31, 1899, was just prior to the dates upon which the various subsidiary companies of the Edison Company and the Power Company were merged, and about a year and a half prior to the date of the organization of the New York Edison Company by the consolidation of its two constituents. At the end of 1899 there were approximately 419 miles of underground electric light and power circuits operated by this system of companies. This mileage more than doubled during the nine years following this date. On December 31, 1908, the New York Edison Company was operating 1,019 miles of underground electrical circuits, practically all in the Borough of Manhattan. During the last nine years undoubtedly many of the old conductors have been replaced and all the new lines laid may have been laid under valid franchises.

EXHIBIT IV.

DATA AS TO COMPETITION IN MANHATTAN.

North of 136th Street, except on the Harlem Speedway, only one company is supplying electric light, the United Electric Light & Power Co. There is an understanding between the United and the Edison companies to the effect that this territory should be left exclusively to the United Company. South of 136th Street both companies have mains in many of the streets, the Edison Company supplying direct current and the United Company supplying alternating current. In regard to this territory, Mr. Smith testified as follows (page 1521):

"Q. Now, what is the general arrangement that you have as to putting your mains in streets where the Edison Company already has mains? A. Well, I should say, generally, Mr. Commissioner, that the understanding is that the existing system will not be paralleled, and if the alternating current company, United Company, has existing service in front of a man's premises, who desires our service, the company will give it to him. If, on the other hand, we have no mains, and the Edison Company are there, it is not the policy of the company, unless the consumer's requirements call for alternating current, to parallel the existing service."

Mr. Smith was questioned as to the reasons for retaining the United Electric Light & Power Company's independent competing service, inasmuch as the two companies are both under the control of the Consolidated Gas Company. On this point also his testimony is of interest. His position is stated at page 1747, as follows:

"Q. If your company were not in existence, Mr. Smith, and your plants were not in existence, would it be essential to the Edison Company or some other company supplying the same territory to establish a plant like yours or a system like yours? A. Yes. At any rate, the business would, of course, have to be taken care of. The system of the United Company is entirely alternating current supply, with a business extending very generally over the entire Borough of Manhattan and supplying at the present time exclusively that territory north of 135th Street. Its customers number in excess of 15,000, the connected equivalent in 16-c. p. lamps amounts to approximately 725,000, within which there is more than 11,000 h. p. in alternating current motors connected, as well as Moore tubes, electrical welding and other miscellaneous uses of the service to which alternating current is exclusively adaptable. An enormous investment would be required to replace the apparatus which would include, not only the motors, but all arc and incandescent lamps and other miscellaneous devices, and, of course, the generating plant

would have to be provided for, as well as the necessary changes in the cable and other distributing apparatus which would be a very material item and considerable of an undertaking from an engineering standpoint. The alternating current service of this Company is entirely different in character from the direct current of the New York Edison Company, and one company could not supply the service of the other company without, as stated, a complete change, not only in the generating equipment, but in all of the individual apparatus at the customers' premises. It should be understood that alternating current was first introduced in New York City in 1889 and 1890, and the introduction of the service throughout the city was very general before the companies were in any way allied. There were many examples of joint supply of both direct current and alternating current where both characters of service are required by the consumer. All of the development from an electrical supply standpoint north of 135th Street is, as stated, on this Company's system of alternating current exclusively."

From the evidence obtained, it appears that the companies have parallel lines running through many of the main streets and avenues and a considerable number of cross streets from the Battery north to 136th Street. The accompanying map, entitled "Duplication Map of Electric Light Companies in Manhattan" shows the streets in the Borough of Manhattan on which both companies have mains.

In the course of the inquiry relative to the development of the mergers and consolidations, Mr. Lieb was asked to give some idea as to the amount of plant and property which were found to have been duplicated by the various companies. In answer to this question he testified as follows (page 1508):

"Mr. Lieb: Well, that is a very difficult and intricate proposition. Of course, a vast amount of the properties disappeared in the process of merger and consolidation, and their systems were thrown out of service, and gradually their customers and mains, feeders and conductors, were thrown onto the Edison system, and little by little their plants were put out of service, and the service standardized, as they were giving indifferent service, not having the means of control and regulation and storage battery reserve, and the feeders of the larger system, so that little by little, between the years of 1898 and, well, extending pretty close to 1901, those plants were gradually taken out of service and dismantled, the apparatus sold or junked, and customers transferred, and that process, on a smaller scale, is more or less continuing at the present day, so as to keep the plant that we have in a high state of efficiency.

"Commissioner Maltbie: Yes; that process is due to changes in the art, but the consolidation and elimination —

"Mr. Lieb: (Interrupting) Not altogether; in a way, yes, but not altogether. Many of those changes came as a result of the evolution, where it became possible, on a very much larger scale, under more economical condi-

tions, making it unwise to continue the local plants in operation, so that within these years we have had stations, like the Fifty-third Street station, which was originally equipped by the Edison Company, and had its plant all complete, boiler, engine and dynamo equipment, which were completely taken out, so that it is today purely a distributing station. The Thirty-ninth Street station was at one time a completely equipped station, built as a modern plant, and well equipped as an electric light station from top to bottom. That has been completely dismantled, and all engines, boilers, and dynamos taken out, and that is practically a distributing station. The Twenty-sixth Street station is at this moment thrown down, and all of the engines, and all boilers, although of comparatively recent type, have been junked, and that station is about to be rebuilt as a large distributing station alone, and these are only examples of the continual process that is going on.

“Q. Have you anything to show how much of the plants that went into the consolidation became unnecessary after the consolidation? Is there anything to show that? A. Why, I have not any data as to the plants.

“Q. There was no inventory taken of the property when you merged, was there? A. None that I have ever seen. My own relations to those properties came about rather after the act of joining the New York Gas & Electric Light, Heat & Power Company, and the Edison Electric Illuminating Company, to make the New York Edison Company. My own relations to the constituent properties of the New York Gas were very indirect, so that I have no inventory. I doubt whether any such inventory exists of what these smaller plants were. I would know, of course, what there was in the Manhattan Company and the Harlem Company, and, of course, all of those Edison plants that I have referred to.”

EXHIBIT V.

RECORD OF SEELY FRANCHISE.

The New York and Queens Electric Light and Power Company has filed various documents with the Public Service Commission to establish its chain of title to the franchise originally granted by the highway commissioners of the town of Newtown, June 12, 1891, to John A. Seely and associates under the name "Newtown Electric Light Company." One of these documents, which is the quit-claim of John A. Seely to Thomas W. Stephens, recites that "in or about the month of May, 1891, I, John A. Seely of the City of Syracuse, State of New York, formed a certain partnership with one Morris Bookman and Henry Kellart, under the name and style of Newtown Electric Light Co.," and that "said partnership obtained a franchise from the Commissioner of Highways of the Town of Newtown, Long Island, for the erecting of poles and laying of tubes in public highways of said Town for the purpose of electric light," and that "thereafter on or before July 29, 1891, said partnership transferred said franchise to me," and that "thereafter I transferred said franchise to the Newtown Electric Light & Power Co., of which said Company I became the owner and still am the owner of 1,496 shares of a possible 1,500 shares of its stock," and that "through certain other transfers and assignments said franchise became the property of one James Harold Warner of the City of New York," and that "said Warner is about to transfer said franchise to Thomas W. Stephens, of the City of New York." In view of the conditions just recited and in consideration of the sum of one dollar paid by Stephens, and for the purpose of inducing him to purchase the franchise from Warner, Seely assigned and transferred to Stephens all his right, title and interest in this franchise, or any part of it which he still possessed "no matter from whatsoever source the same may have been received or obtained." He further agreed to furnish any other and further instrument desired by Stephens which would assist the latter in getting a good title to the franchise.

At the end of the copy of the franchise filed by the company with the Commission are the words:

"This franchise assigned to John A. Seely July 29, 1891.

"Newtown Electric Light Co.

"Morris Bookman, Prest.

"Henry Kahlert, Secty.

"This franchise assigned to the Town of Newtown Electric Light Co. by John A. Seely for 997 shares of the capital stock of the Newtown Electric Light Co.

"(Signed) John A. Seely.

"Filed July 30, 1891.

"J. H. Sutphin, Clerk."

In a letter dated May 8, 1908, the New York & Queens Electric Light & Power Company, which claims the present ownership of this franchise, states that "in the second assignment it was intended to convey the franchise to the Newtown Electric Light & Power Company, to which the assignment was actually delivered, there being no corporation at any time in existence of the name of 'Town of Newtown Electric Light Co.' and the misnomer in the assignment being an inadvertence."

Among the documents filed by the company there is an instrument, however, executed by Henry C. Adams, receiver of the Newtown Electric Light & Power Company, under date of October 13, 1894, by which certain property of the company was transferred to J. H. Warner, in consideration of the sum of \$1,100. This property consisted of various light transformers, incandescent lamps, arc lamps, insulators, copper wire, dynamos, and other electric light apparatus, an artesian well, a boiler, etc., "and all the other property of said defendant Company wherever the same is situated," except one frame building and certain specified apparatus. The instrument stated that the property above described was on the premises of the company in Newtown, Long Island, or on the streets or public places in Newtown. It further stated that the sale by the receiver to Mr. Warner was by virtue of an order of the United States Circuit Court dated June 30, 1894, and of the Court of Chancery of the State of New Jersey, dated July 23, 1894; that the sale had been duly advertised and the property sold to Warner, the sale having been thereafter confirmed by the United States Circuit Court on September 11, and by the Court of Chancery on September 24, 1894. The actual date upon which the award was made to Warner is not given, but the instrument of transfer was executed, as already stated, on October 13.

On August 31, of the same year, six weeks before Warner received the formal transfer from the receiver of the company, he in turn transferred the property to P. J. Bennett. In the agreement of sale it was stated that Warner purchased "a certain property on the 20th day of August, 1894, at Bushwick Junction, Long Island (said property theretofore belonging to the Newtown Electric Light Co.), from Henry C. Adams, Jr., Receiver of said Company." It also stated that Bennett was anxious to obtain the property bought by Warner, "subject to all or any claim or claims which the said Receiver may have upon him, the said Warner," inasmuch as Bennett had also purchased at the same time certain other property from the receiver. Accordingly in consideration of the sum of one dollar, Bennett purchased and Warner sold, assigned and "set over all his right, title and interest in and to the aforesaid property hereinbefore described as having been purchased by him at said sale."

No specific reference was made either in the receiver's transfer to Warner or in Warner's transfer to Bennett of any franchise. Five years later, however, on October 2, 1889, Bennett retransferred the property to Warner, describing it as "property heretofore belonging to the Newtown Electric Light & Power Co." purchased by Warner from Henry C. Adams, Jr., receiver, on August 20, 1894, and transferred by Warner to Bennett on August 31, 1894. In the receiver's transfer Warner is simply "J. H. Warner." In Warner's transfer to Bennett the former has come to be "James H. Warner." In Bennett's retransfer to Warner the latter appears as "James Harold Warner." The consideration in this last transfer is given as one dollar, "and other good and valuable considerations." "I hereby transfer, set over and assign," says Bennett in this paper, "unto said James Harold Warner all my right, title and interest in and to any franchise, right or easement to manufacture, vend, sell and deliver electricity for lighting or power purposes, or constructing tubes, conduits or pole lines for electrical purposes, through or in the said Town of Newtown, or in or about the vicinity thereof, which I have received from any source whatsoever, including the said instrument in writing described herein from said Warner to me. I further covenant and agree to make any further and other in-

strument, or to do any further or other act which will divest or transfer from me any right or interest which I may have in said franchises, right or easement as aforesaid."

In a deposition accompanying this transfer Bennett says, referring to the property which he obtained from Warner on August 31, 1894, that he "is informed and believes that said instrument conveyed to him a certain franchise in the Town of Newtown, Long Island," and "that he has never transferred said franchise or any part thereof to any one by assignment or otherwise, and if he did receive the ownership of said franchise at that time he now owns the same." He also states that the property described in the mortgage from the Newtown Electric Light & Power Company to the Fort Wayne Electric Company was taken possession of by the latter company, and that the lamps, transformers, insulators and other chattels purchased by him from Warner were transferred to the Rockaway Electric Light Company. He further says that according to his information and belief none of the property purchased by him from Warner in 1894 "consisted of the property contained on the pole lines of said Rockaway Electric Light Co."

In Warner's transfer to Thomas W. Stephens under date of October 6, 1899, it is recited that the purchase from Henry C. Adams, receiver of the Newtown Electric Light & Power Company, was of "certain property" on or about October 13, 1894. "I believe, and it is supposed," says Warner in this transfer, "that the aforesaid purchase included a franchise belonging to the Newtown Electric Light & Power Co. to lay tubes, construct and operate pole lines for the purpose of electric lighting in and through the City and Town of Newtown of Long Island;" "I thereafter transferred all my right, title and interest in and to said property, including said franchise, to Philip J. Bennett;" "and said Philip J. Bennett thereafter and on or about the second day of October, 1899, transferred to me by an instrument in writing (the original of which is hereto annexed) all and every my right, title and interest to said franchise;" and "Charles F. Mathewson, for and on the part of certain of his clients, has this day offered to purchase such right, title and interest in and to said franchise as I now possess upon certain terms and conditions, it being under-

stood that I have never as yet disposed of said franchise, except as aforesaid to said Bennett." In view of these facts and in consideration of the sum of one dollar and "other good and valuable considerations," "I hereby and by this instrument," says Warner, "sell, assign, transfer, set over and convey unto Thomas W. Stephens, his personal representatives and assigns, all and every my right, title and interest in and to said franchise, right of way, license or easement, to build, construct or operate tubes, ducts or conduits, in, upon or under the streets, or to construct, build, operate or maintain pole or wire lines in, upon, through and over the streets of the Town of Newtown, Long Island, which I now own or which I may have received the ownership of from any source whatsoever, including the transfers hereinbefore recited and referred to. I further covenant and agree to do any other act or execute any further instruments which will more clearly convey the title or ownership intended herein to be conveyed, it being understood that I do not in any manner warrant the title to such property, but merely convey such right and ownership as I now have." It will be noted that this instrument was executed on October 6, 1899. On the succeeding day the transfer already described as being made by John A. Seely of Syracuse to Thomas W. Stephens was executed.

On November 4 following, Thomas W. Stephens transferred his right to the franchise in question to the New York & Queens Gas & Electric Company. This instrument recited the original sale of certain property by Henry C. Adams, receiver, to James Harold Warner on October 13, 1894, the sale being supposed to include "a franchise belonging to the Newtown Electric Light & Power Co. to lay tubes, construct and operate pole lines for the purpose of electric lighting in and through the City and Town of Newtown, Long Island;" and the transfer "thereafter" of the property "including said franchise," to Bennett, and the retransfer to Warner on October 2, 1899, of Bennett's "right, title and interest" to said franchise, and Warner's transfer to Stephens on October 6, 1899. Stephens by this instrument conveyed to the New York & Queens Gas & Electric Company, its assigns and successors all of his right, title and interest to this "franchise, right of way or easement" which he then had or of which he may

have received ownership from any source whatever, "including the transfers hereinbefore recited and referred to." Nothing is said in this instrument of the transfer executed by Seely to Stephens. "I further covenant and agree," said Stephens, however, "to do any other act or execute any further instruments which will more clearly convey the title or ownership intended herein to be conveyed, it being understood that I do not in any manner warrant the title of such property, but merely convey such right and ownership as I now have."

APPENDIX B.

INFORMAL COMPLAINTS CONCERNING RAILROADS
AND STREET RAILROADS AND RAPID TRANSIT
CONSTRUCTION.

APPENDIX B.

INFORMAL COMPLAINTS CONCERNING RAILROADS AND STREET RAILROADS AND RAPID TRANSIT CONSTRUCTION.

INFORMAL COMPLAINTS RELATING TO RAPID TRANSIT CON- STRUCTION.

The work of rapid transit subway construction, of necessity, causes inconvenience to owners and occupants of premises adjacent to the line of subway being constructed. This is caused chiefly by excavation, necessary removal of sidewalks, tearing up of street surfaces and the storage of material necessary for use. The work has been done, however, with the least possible obstruction to traffic, conducive to the proper carrying on of the work. The following is a list of complaints received and shows the disposition made in each instance:

LIST OF INFORMAL COMPLAINTS, 1910.

RAPID TRANSIT CONSTRUCTION.

File No., name of complainant and company complained against.	Subject.	Disposition.
R. T. 3060, Wendell	Erection of tool house in front of property, 50th st. and Broadway.	Tool house necessary to work.
*R. T. S. C. Co.		
R. T. 3060, Ommen.	Tearing up of street surface in front of 255 Lafayette street.	Work necessary and complainant inconvenienced as little as possible.
R. T. S. C. Co.		
R. T. 3060, Jenkins.	Excavation in front of 3429 Broadway.	Work completed and street surface restored.
R. T. S. C. Co.		
R. T. 3060, Loeb....	Filthy condition of ventilators, Grand Central Station.	Cause of complaint removed.
I. R. T. Co.		
R. T. 3060, Wood...	Excavation in front of 143d st. and Broadway.	Work completed and street surface restored.
R. T. S. C. Co.		
R. T. 3060, Casin & Feldman	Erection of fence in front of 135 Lenox ave.	Fence found necessary.
R. T. S. C. Co.		
R. T. 3060, Lowe...	Storage of material on Lenox avenue between 114th and 116th streets.	Material necessary for platform extensions.
R. T. S. C. Co.		
R. T. 3060, Selkowitz	Storage of material on Lenox avenue between 114th and 116th streets.	Material necessary for platform extensions.
R. T. S. C. Co.		
R. T. 3060, North-side News.....	Storage of material, 149th street and Bergen avenue.	Material removed.
R. T. S. C. Co.		
R. T. 3060, Bureau of Highways.....	Condition of manhole head, Lafayette and Howard streets.	Contractor not responsible.
R. T. S. C. Co.		
R. T. 3060, Com. of P. W. B'nx.	Obstruction on sidewalk Bergen avenue and Gerard street.	Space not intended for sidewalk.
R. T. S. C. Co.		
R. T. 3060, Thees & Sons	Unfinished sidewalk and rubbish, 313 Lenox ave.	Work completed and rubbish removed.
R. T. S. C. Co.		
R. T. 3060, Jenkins.	Obstructions in front of 313 Madison avenue.	Obstructions removed.
R. T. S. C. Co.		

* Initials R.T.S.C.Co. indicate Rapid Transit Subway Construction Company.

434 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
R. T. 3049, Wendel. K. T. S. C. Co.	Damage to property and building material in front of 173 Broadway.	Inconvenience necessary during progress of work.
R. T. 3049, King... K. T. S. C. Co.	Damage to sidewalk in front of 516 Fulton st.	Necessary repairs made.
R. T. 3044, Fitzsimons Bradley B. L. L.	Removal of cellar door and exposure of building, 57½ Centre street.	Not due to subway construction.
R. T. 3044, Fitzsimons Bradley B. L. L.	Settlement of building 59-61 Centre street.	Not due to subway construction.
R. T. 3044, Naughton Bradley B. L. L.	Damage to sidewalk in front of 82 Duane st.	Causes existed prior to subway work.
R. T. 3044, Laue... Bradley B. L. L.	Stoppage of sewer at Pearl and Lafayette streets.	Cause removed.
R. T. 3044, Whelan. Bradley B. L. L.	Misplacement of curb and sidewalk, 496 Pearl street.	Repairs made.
R. T. 3044, Board of Health Bradley B. L. L.	Filthy condition of excavation, Centre, Pearl and Reade streets.	Condition remedied.
R. T. 3044, Laue... Bradley B. L. L.	Displacement of sidewalk in front of 63 Centre street.	Pavement restored to previous condition.
R. T. 3044, Seymour Co. <i>et al.</i> Bradley B. L. L.	Bad condition of pavement on Duane street.	Street repaved.
R. T. 3044, Board of Health Bradley B. L. L.	Filthy condition of open sewer, Centre and Pearl streets.	Sewer covered.
R. T. 3044, Ely.... Bradley B. L. L.	Poor condition of sidewalk, 513 Pearl street.	Temporary repairs made.
R. T. 3044, Dept. W. S., G. & E. Bradley B. L. L.	Sunken pavement on Duane street.	Under jurisdiction of Dept. of Bridges.
R. T. 3044, Man. Desk Co. Bradley B. L. L.	Subsidence of sidewalk, 47 Centre street.	No movement perceptible.
R. T. 3044, N. Y. T & M Owners Assn. Bradley B. L. L.	Condition of pavement on Duane street.	Under jurisdiction of Dept. of Bridges.
R. T. 5011, Dept. of Correction Degnon B. L. L.	Court railing of city prison out of plumb.	Repairs made.
R. T. 4042, Crane & Lockwood Degnon B. L. L.	Location of contractor's shanty in front of premises.	Shanty removed.
R. T. 4042, Haug.. Degnon B. L. L.	Condition of flagstones in front of 106 Duane street.	Flagstones removed.
R. T. 4042, Grossman Degnon B. L. L.	Damage to sidewalk at 191 Canal street.	Repairs made.
R. T. 4042, Levinson Degnon B. L. L.	Damage to premises, 196 Canal street.	Sent to contractor for attention.
R. T. 4042, Cammann, Vorhees & Floyd Degnon B. L. L.	Building not restored to previous condition.	Premises restored.
R. T. 4042, Dept. of Correction Degnon B. L. L.	Bad condition of sidewalk in front of city prison.	Sent to contractor for attention.
R. T. 4042, Olney & Warrin Degnon B. L. L.	Damage by water to 66 Centre street.	Owner responsible.
R. T. 4042, Stone Degnon B. L. L.	Subsidence of sidewalk at 195 Canal street.	Contractor not responsible.
R. T. 4016, Trenkman Cranford Co.	Removal of flagstone, 249 Centre street, damaged by water.	Repairs made.
R. T. 4016, Walker. Cranford Co.	Flow of water into basement, 173 Centre st.	Owner responsible.
R. T. 4051, Com. of Pub. Works Bradley B. L. L.	Wooden braces obstructing sewers.	Braces removed.
R. T. 4051, Herrmann Bradley B. L. L.	Stoppage of sewers, Delancey and Mott sts.	Found to be due to damaged house drain which was repaired.

File No., name of complainant and company complained against.	Subject.	Disposition.
R. T. 4051, Faruolo	Broken sewer at 235	Under jurisdiction of Bureau of
Bradley B. L. L.	Bowery.	Sewers.
R. T. 4051, Herrmann	Torn-up pavement on	Street cleared.
Bradley B. L. L.	Delancey street.	
R. T. 4051, Dept. of Wtr. Sup. G. & E.	Non-support of high-pressure mains on Delancey street.	Masonry supports provided.
Bradley B. L. L.	Mound of earth in yard,	City has right to protect subway structure.
R. T. 4051, Lippmann	133 Mulberry street.	
Bradley B. L. L.	Damage to sidewalk in front of 9 and 11 Delancey street.	Sent to contractor for attention.
R. T. 3050, Schlesinger	Settlement of sidewalk, Delancey near Essex street.	Repairs made.
Bradley B. L. L.	Broken fire alarm service pipes.	Sent to contractor for attention.
R. T. 3050, Fire Dept.	Condition of sidewalk in front of P. S. 161.	Not under jurisdiction.
Bradley B. L. L.	Congestion and bad condition of Delancey st.	Due to laying high pressure mains by Department of Water Supply, Gas and Electricity.
R. T. 3050, Met. St. Ry. Co.	Alleged damage to building at 225 Bridge st. by dirt car.	No valid claim for damages.
Bradley B. L. L.	Closing of streets intersecting 4th Avenue subway.	Streets temporarily closed to provide facilities for crossings.
R. T. 6071, Downtown Taxpayers Assn.	Damage to premises, flooding on Washington street.	Drains restored.
Smith, Scott & Co., 4th Ave. Sub.	Dusty streets, due to subway work (Debevoise street).	Streets sprinkled.
R. T. 6071, Robert Gair	Unsafe street crossing at DeKalb avenue.	Crossings put in safe condition.
Smith, Scott & Co., 4th Ave. Sub.	Dusty condition of Dean street due to subway work.	Street sprinkled.
R. T. 6095, Hart...	Neglect of contractor to sprinkle street.	Contractor ordered to keep street sprinkled.
Bradley, 4th Ave. Sub.	Exposure of sewage in open trench at St. Marks avenue.	Cover constructed over trench.
R. T. 6095, Planten	Settlement of building at 119 4th avenue.	No perceptible settlement.
Bradley, 4th Ave. Sub.	Blocking of roadway on 4th avenue.	Facilities provided for traffic.
R. T. 6031, Szerlip.	Injury to high tension cables.	Contractor cautioned.
E. E. Smith, 4th Ave.	Dropping excavated material from trucks on 3d street.	Satisfactory arrangements made.
R. T. 6031, Dept. of Bridges	Dangerous condition of sidewalk.	Sidewalk not in unsafe condition.
E. E. Smith, 4th Ave.	Disconnection of sewer at 162 12th street.	Proper connections made.
R. T. 6031, Martin..	Use of sewer water by contractor for back-filling.	Practice stopped.
E. E. Smith, 4th Ave.	Dangerous operation of tramway.	Necessary precautions taken.
R. T. 6033, Lanahan Tidewater Bldg. Co. 4th Ave.		
R. T. 6033, Campbell Tidewater B. Co., 4th Ave.		
R. T. 6033, Parsons. Tidewater B. Co., 4th Ave.		

File No., name of complainant and company complained against.	Subject.	Disposition.
R. T. 6033, Peers... Tidewater B. Co., 4th Ave.	Erection of fence from 10th street to 27th st.	Fence necessary but wire substituted at crossings.
R. T. 6033, Dept. of Education Tidewater B. Co., 4th Ave.	Lack of protection to Public School 124, 13th street.	Provisions made to protect building.
R. T. 6033, Anderson Tidewater B. Co., 4th Ave.	Bad condition of pavement on 12th street.	Pavement repaired.
R. T. 6033, Com. of P. W. Tidewater B. Co., 4th Ave.	Condition of street, 3d avenue and 26th street, due to construction of sewer.	Work prosecuted with all possible speed.
R. T. 6033, O'Brien Tidewater B. Co., 4th Ave.	Damages to property at 740 4th avenue.	Complaint satisfactorily remedied.
R. T. 6033, Samaritan Hospital Tidewater B. Co., 4th Ave.	Removal of hospital sign and noise of locomotive whistle at 17th street.	Sign restored and noise abated.
R. T. 6033, Madigan Tidewater B. Co., 4th Ave.	Obstructions in front of 286 10th street.	Obstruction necessary as anchor for guy rope.
R. T. 6033, Dept. of Education Tidewater B. Co., 4th Ave.	Removal of outer end of coal chute at Public School 124.	Opening closed.
R. T. 6078, Power.. Healey, B'way-Lex.	Damage to sidewalk, 1661 Lexington avenue.	Sidewalk restored to good condition.
R. T. 6078, Delaney Healey, B'way-Lex.	Displacement of flagstone, 1378 Lexington avenue.	Flagstone replaced.
R. T. 3076, Washington Sq. Assn. H. & M. R. R.	Maintenance of bridge over 9th street, near 6th avenue.	Permit for bridge revoked.
R. T. 3076, 6th Ave. merchants H. & M. R. R.	Concrete mixer on 6th avenue between 29th and 30th streets. Damage due to dirt and dust.	Contractor required to make good under the terms of the contract.

INFORMAL COMPLAINTS RELATING TO RAILROADS AND STREET RAILROADS.

During the year 1910 aside from rapid transit cases the number of informal complaints received was 1,988. A considerable number of these treated of subjects outside of the jurisdiction of this Commission, or were of a character not requiring investigation or correspondence, or were pending at the end of the year, so that the actual number reported in this list as disposed of during the year is 1,719.

The following tabulated statement is made up from the list which briefly describes each individual complaint and its disposition. For brevity certain expressions are used in the list and in the table, which are explained as follows:

"*Satisfied*" describes a result substantially meeting the desires of the complainant or reasonably meeting the requirements as developed by investigation.

"Ill founded" describes a disposition of the complaint where the complainant obviously misapprehends the facts or where investigation shows that the facts were not as stated by him.

"Default of complainant" is used where the complainant, upon request, fails to furnish the proper basis for investigation or to elaborate his complaint sufficiently to justify the expenditure of any time or labor upon it.

"Covered by case" denotes that the subject of the complaint is taken care of by formal proceedings.

"No action taken" is used to dispose of a complaint, the investigation of which has developed no definite defect which can be remedied.

"No jurisdiction" describes those complaints which appeared to be outside the authority of the Commission.

LIST.

COMPANY COMPLAINED AGAINST.	Satis- fied.	Ill founded.	Default of com- plain- ant.	Covered by case.	No action taken.	No juris- diction	Total.
Brooklyn Heights.....	103	33	4	34	31	1	206
Brooklyn, Queens County and Sub- urban.....	19	7	2	12	7	1	48
Nassau Electric R. R. Co.....	60	27	1	26	23	4	146
Brooklyn Union Elevated.....	55	41	5	11	38	15	165
Coney Island and Gravesend.....	1	2	.....	.....	.....	.....	3
South Brooklyn.....	16	1	1	2	5	1	26
Sea Beach.....	1	1	.....	.....	.....	.....	2
Totals, B'klyn R. T. system...	255	112	13	85	109	22	596
Coney Island and Brooklyn.....	23	4	.....	.....	12	1	40
Van Brunt Street and Erie Basin.....	1	.....	.....	.....	.....	.....	1
C. P., N. & E. R.....	2	.....	.....	.....	.....	.....	2
Second Avenue.....	3	3	1	.....	.....	.....	7
Fifth Avenue Coach.....	11	1	1	.....	5	.....	18
Hudson and Manhattan R. R.....	.....	2	.....	.....	.....	1	3
Interborough Rapid Transit.....	106	81	4	72	115	6	384
New York City Interborough Ry....	4	1	.....	1	8	.....	14
Metropolitan Street Ry.....	67	24	8	.....	48	2	149
Third Avenue R. R.....	12	3	1	1	5	.....	22
D. D., E. B. and Battery R. R.....	1	2	.....	1	1	.....	5
Forty-second St., M. & St. N. Ave. Ry. Co.....	10	10	.....	.....	5	.....	25
Union Ry.....	27	12	1	2	7	2	51
Long Island Electric Ry.....	1	4	.....	1	6	.....	12
New York & L. I. Traction.....	5	.....	.....	2	1	2	10
New York and Queens County Ry..	40	6	1	6	32	.....	85
Richmond Light & R. R.....	4	1	.....	1	3	.....	9
Staten Island Midland R. R.....	7	2	2	1	8	.....	20
Pelham Park & City Island.....	1	.....	1	.....	1	.....	3
South Shore Traction.....	1	.....	.....	2	.....	.....	3
Westchester Electric.....	1	.....	.....	.....	.....	.....	1
Yonkers R. R.....	1	1	1	.....	.....	.....	3
Ocean Electric Ry.....	4	.....	1	.....	1	.....	6
Long Island R. R.....	59	10	6	11	43	4	133
New York Central.....	10	4	1	4	14	5	38
New Haven.....	9	3	1	5	3	2	23
Staten Island Rapid Transit R. R....	3	2	.....	1	3	1	10
Staten Island Ry. Co.....	6	1	.....	.....	4	.....	11
Miscellaneous.....	3	1	2	19	8	2	35
	677	290	45	215	442	50	1,719

BRIEF STATEMENT OF UNIT INFORMAL CASES.

File No., name of complainant and company complained against.	Subject.	Disposition.
1602, E. P. Loomis & Co. N. Y. C. & H. R. RR. Co.	Protest against use of complainant's overage to make up shortage of shippers, Barclay Street station.	Investigation showed freight handlers at fault. Satisfactory agreement made.
1672, Karger B. Q. Co. & S. RR. Co.	Noisy crossover in front of 24 Ralph avenue, Brooklyn.	Investigation showed complaint justified. Company installed new crossover. Satisfactory to complainant.
1710, Quinn B. Q. Co. & S. RR. Co.	Noisy crossover in front of 26 Ralph avenue, Brooklyn.	See disposition of C-1672, supra.
1970, Glesman B. U. E. RR. Co.	Faulty construction of window rods, permitting fingers to be caught between them and woodwork.	Company altered construction to avoid all danger of personal injury. Satisfied.
2229, Lehnart Rich. Lt. & RR. Co.	Alleged violations of order No. 378, requiring two cars of Silver Lake line to leave St. George within five minutes after arrival of ferry boat.	Company satisfactorily explained them as being due to accidents, etc.
2246, Taxp. Assn..... 22d Ward, Brooklyn. B. H. RR. Co.	Siding on Flatbush avenue south of Nostrand avenue, annoying neighborhood. Cars stored and freight unloaded at night, dangerous to traffic.	Investigation showed some siding needed at this point. Company agreed to cease unloading freight. As no other practicable location for siding was found, matter was closed.
2249, Steiger..... I. R. T. Co.	Grease dripping from subway cars stored on elevated structure, near Simpson Street station.	Company agreed to make arrangements eliminating cause of complaint. Satisfied.
2340, Kearns..... S. I. Ry. Co.	Noise of engines blowing off in St. George yard.	Investigation showed foaming of water in boilers chiefly responsible for noise. Cannot be remedied until water of a different chemical character is secured. Closed.
2343, Stimson Met. St Ry. Co.	Noisy operation of cars on Broadway, between 53d and 54th streets.	Investigation showed repairs were made by the company. Complaint closed as satisfied.
2646, Ziegler B. U. El. RR. Co.	Noisy operation around curve at Tillary street from Fulton street to Bridge deck.	Investigation showed heavy train operation and inadequate greasing responsible for noise which was reduced as far as possible by company. Satisfied.
2755, Tierney I. R. T. Co.	Need of additional stairway on south side of Franklin Street station, 9th Avenue el.	Investigation showed conditions comparatively good, congestions slight and temporary, facilities adequate for average traffic. Complaint ill founded.
2872, Bockel B. U. El. RR. Co.	Alleged unsafe terminal arrangements at Park Row. Switching back of Fulton Street elevated train at Ralph avenue.	Iron railings erected at Park Row. Switching back of trains at Ralph Ave. necessary because of traffic conditions. Closed.
3090, Benedikt I. R. T. Co.	Inadequate service and delays above 96th street on Broadway branch of subway.	Traffic observations made. Matter taken up formally; hearings held in Cases 556, 1211 and 1291. Company was ordered to and did cease operation of third-track expresses. All trains operated as locals through to Dyckman St. Improvement noted. Satisfied.
3220, Manahan L. I. RR. Co.	Lack of ventilation in electric trains between Flatbush Avenue station and Jamaica.	Investigation showed different ventilation arrangement in steel and wood cars; successful ventilation depending almost entirely on good judgment of trainmen. Company agreed to give it careful attention. Satisfied.

File No., name of complainant and company complained against.	Subject.	Disposition.
3321, Kinnan N. Y. C. & H. R. RR. Co.	Smoke nuisance along Riverside Drive.	Improvement effected through proceedings by the Commission. Matter receiving continued attention; public hearings have been ordered in Case 1283 for January, 1911.
3356, Kreimier Met. St. Ry.	Difficulty in traveling from Williamsburg Plaza to Bowling Green without transfer privilege at Grand street and Broadway.	Investigation showed that the re-establishment of this transfer point, while convenient, was not of sufficient importance to warrant formal action. Closed.
3357, Lubbers B. U. El. RR. Co.	Noisy operation on Lexington Avenue line in vicinity of Stuyvesant avenue.	Matter repeatedly investigated, taken up with company and continued improvement noted. Complainant satisfied.
3399, O'Hanlon Met. St. Ry. Co.	Lack of shelter at 86th street and Central Park West.	Investigation made and matter presented to Park Comr., who declined to permit use of park property for location of shelter. No other place being available, matter was closed.
3403, Sternberger Nassau Elec. RR.	Flat wheels on Church Avenue cars.	Matter taken up with company and flat wheels removed. This trouble being intermittent, and company apparently using reasonable care, no further action taken.
3429, Knight Bk. H. RR. Co.	Noisy operation of cars on Nostrand avenue between Bergen street and Park place.	Investigation showed noise due to short pieces of track used in repair. Matter informally taken up with company and track repaired. Satisfied.
3451, Kronold Met. St. Ry. Co.	Insufficient number of closed cars operated to provide for inclement weather.	After correspondence between the Commission and company the latter agreed to operate about one-half of schedule with closed cars. Satisfied.
3481, Beyer B. H. RR. Co. N. E. RR. Co. C. I. & B. RR. Co.	Five-cent fare charged for children aged 5 to 12 on Gates Avenue line. Dark cars in Manhattan terminal of Williamsburg bridge.	Method of charging fares for children satisfactorily explained to complainant by company. Company issued instructions to crews to light cars in covered part of terminal. Closed.
3483, Lounsbury B. H. RR. Co.	Certain types of closed cars cold and poorly lighted. Disuse of such cars advocated.	Matter brought to attention of company. Complainant informed wholesale scrapping of old cars impossible. No further action.
3493, Young B. U. El. RR. Co.	No Brighton Beach trains stopping at Court Street station between 5:05 and 5:20 p. m. from Park Row.	Complaint satisfied by arrangement of company to operate 4:59 p. m. train from Park Row as a local.
3508, Curtin N. E. RR. Co.	Inadequate service on St. John's Place line; turning back of cars at Kingston avenue.	After repeated investigation and conferences, the company installed a new schedule, increasing service which obviated considerably turning back cars at Kingston Ave. Closed.
3525, Ellison Met. St. Ry. Co.	Protest against operation of open cars in early part of June during inclement weather.	Investigation showed that employees of company were using fair judgment in operating cars, open or closed, according to the weather. Ill founded.
3554, Egbert Met. St. Ry. Co.	Noisy operation of cars on 145th Street Crossover line.	Investigation showed noise due to condition of brake shoes. Company had brakes inspected and attended to. Satisfied.
3557, Campe 5th Ave. Coach Co.	Noisy operation through 88th street between 10 and 12 p. m.	Investigation showed impossible to operate with as little noise as automobiles because of solid tires. Driver discharged for overspeeding. Closed.
3587, Wright N. Y., N. H. & H. RR.	Overcrowded and unsanitary cars on Main Line trains.	Investigations showed no unusually bad conditions that warranted action by Commission.
3588, Knox I. R. T. Co.	Newspaper bundles on trains annoying to passengers.	Repeated investigations showed complaint justified. Representatives of the Publishers' Assn. agreed to see that news handlers exercised every care to prevent such annoyance. Satisfied.

440 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
3592, Sengens Met. St. Ry. Co.	Noisy operation on E. 83th street due chiefly to bad condition of track.	Company repaired these tracks in 1909 at instance of Commission. Investigations showed them in excellent condition. Ill founded.
3606, Klopman Met. St. Ry. Co.	Noisy operation of cars on 8th street; over-speeding between 5 and 6 a. m.	Investigation showed speed of cars not excessive, also that company was prepared to repair rail joints which were not in particularly bad condition, in vicinity of complainant's residence. Ill founded.
3609, Cunningham <i>et al.</i> L. I. RR. Co.	Dangerous crossing at Park avenue and Smith street on the Far Rockaway Division.	Investigation showed crossing protected only by bell and very dangerous. At instance of Commission gates were installed and are in operation all year. Satisfied.
3665, Holt Met. St. Ry. Co.	Noisy operation of cars on Lexington avenue between 26th and 28th streets.	Investigation showed some noise due to gear trouble. Matter taken up with company and equipment repaired. Closed.
3767, Hollis Imp. Assn. L. I. RR. Co.	Dangerous grade crossing on Main Line at Farmers avenue, Hollis.	Investigation showed crossing protected by gates and flagman, but of such peculiarly dangerous physical lay-out that radical changes will be necessary. Hearings continued into 1911 in Case 1262.
3773, King I. R. T. Co.	Inconvenient arrangement of ticket boxes at Flatbush Avenue Subway station.	After investigation company agreed to and did construct another entrance to L. I. RR. platform with necessary ticket booths, etc. Satisfied.
3789, Thonet N. E. RR. Co.	Poor connections between Ocean Avenue line and lines on Bergen street.	Satisfied by explanation of company to complainant of conditions involved.
3833, Brower I. R. T. Co.	Overcrowding in subway; annoyance due to handling of newspaper bundles.	See disposition in C-3588. Satisfied.
3836, Sunset Pk. Prop. O. Assn. So. Bk. Ry. Co.	Discontinuance of transfer exchange at 39th street and Culver line, also between 5th Avenue elevated and 5th Avenue surface lines at 36th street.	Commission at the time had no jurisdiction. Closed.
3844, Stein Met. St. Ry. Co.	Noise due to condition of tracks on Madison avenue between 79th and 80th streets.	Investigation showed complaint justified. Matter taken up; company relaid the tracks. Satisfied.
3846, Ozone Pk. Bd. of Trade. L. I. Elec. Ry. Co.	Inadequate service and poor cars on Belmont Park line.	Investigated and taken up with company to see that terms of order in Case 506 were being complied with. Inspections showed continued improvement. No further action by Commission necessary.
3848, Cavo N. Y. & L. I. Tr. Co.	Inadequate service and poor condition of car wheels.	After investigation matter was taken up in formal proceedings, Case 1251. Discontinued on agreement of company to instal turn-outs and operate 7½ min. headway during the summer and as required on holidays, etc.
3850, Crane I. R. T. Co.	Requesting that south door at 72d Street station of subway be opened for traffic.	Investigated. Commissioner Eustus informed complainant of contemplated reconstruction of ingress and egress. Satisfied.
3853, 24th Ward Bd. of Trade. B. U. El. RR. Co.	Overcrowding at Utica Avenue station, Fulton Street Elevated, and dangerous boarding of rear platforms of moving trains.	Satisfied by action of company removing settees complained of. Special officer detailed to break up practice of boarding trains in motion.
3873, Lang N. E. RR. Co. B. U. El. RR. Co.	Suggesting establishment of transfers between St. John's Place line and Brighton Beach el. at Sterling Place.	Complainant informed that Section 49, Paragraph 8, of the revised Public Service Commissions Law denies jurisdiction.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 441

File No., name of complainant and company complained against.	Subject.	Disposition.
3887, Osborn I. R. T. Co.	Inadequate service in subway to 103d Street station, N. B., during p. m. rush hours.	Covered by formal proceedings in Case 1291 and acceptance by company of that part of the order requiring trains above 96th St. to operate as locals on Broadway branch.
3890, Gitterman N. Y. Cen. & H. R. R. Co.	Dangerous conditions at 96th Street crossing. Failure to operate gates.	Investigation showed gates out of order at the time, also need for additional precautions. Matter taken up with company. New gate system, distance bells and flagman installed. Satisfied.
3891, Wilson I. R. T. Co.	Request construction of additional stairway downtown 23d Street station, 3d Avenue elevated, northwest corner.	Investigation showed stairway needed but no further action taken pending outcome of proposition to widen 23d St.
3899, Fleming I. R. T. Co.	Annoyance to passengers due to loading newspaper bundles on subway trains.	See disposition of C-3588.
3907, Semple Met. St. Ry.	Requesting that definite locations and signs be posted for stops of 4th and Madison Avenue cars in vicinity of Vanderbilt avenue.	Satisfied by agreement of 42d St., Man. & St. Nich. Ave. Ry. Co. which owns tracks on 42d St., to place signs as desired.
3911, Roberts B. H. RR. Co.	Inability to travel via Graham Avenue car, ferry bound, and Graham Avenue car from Greenpoint and Manhattan avenues bound for points farther west, for single 5-cent fare.	Matter taken up with company, which installed transfer agent at Manhattan and Greenpoint Aves., to issue continuing trip tickets as desired. Satisfied.
3922, Purdy L. I. RR. Co.	Dangerous crossing at Laurelton station, Montauk Division.	Matter closed as dormant, awaiting later formal consideration by the Commission.
3927, Prospect Pk. Assn. B. U. El. RR. Co.	Inadequate train service on the Brighton Beach line to Fulton Ferry between 5 and 7 p. m.	Matter taken up with company, which reported holiday traffic in a measure responsible for condition. Normal service adequate. Satisfied.
3930, Clarke I. R. T. Co.	Inadequate rush-hour service on 2d Avenue Elevated, request purchase of additional cars and vestibuling all cars in service.	Complainant informed that expenditure required would be too great and too many cars would have to be taken out of service while repairs were under way. Closed.
3932, Hunt I. R. T. Co.	Reckless operation around curve on 2d Avenue el. at 23d street.	Investigation showed insufficient variation from 9-mile speed limit (considered safe) to justify further action by the Commission.
3938, O'Neill N. E. RR. Co.	Failure of motorman of Ocean Avenue cars to stop at Manhattan Terrace after 11 p. m.	Satisfied by explanation of company that car in instance noted was out of service.
3941, Josephsson Met. St. Ry. Co.	Inadequate lighting of Amsterdam & 9th Avenue cars under el. structure.	Matter taken up with company, which reported turning on of lights not warranted. Complainant requested formal hearing. Complaint closed on his default.
3942, Hennenlotter .. B. H. RR. Co.	"Car behind" on Flatbush Avenue line at Tilden avenue, contrary to destination sign.	Investigation showed no flagrant abuses. Company agreed to caution inspector to use best judgment at point complained of. Satisfied.
3944, Prosp. Hgts. Cit. Assn. N. E. RR. Co. B. H. RR. Co.	Inadequate service on lines operating along Prospect Park West, particularly the 16th Avenue line.	Investigation showed service reasonably good. Closed as ill founded.
3946, Wyckoff Hgts. Taxp. Assn. B. R. T. Co.	Lack of signs designating where cars will stop at points in Williamsburg.	Satisfied by action of the company in installing 11 stop signs at various points.

442 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
3952, Greenpoint Hebrew Civic Club. B. H. RR. Co.	Requesting that service on Greenpoint (experimental) line across Williamsburg Bridge be continued throughout the day.	Matter taken up. Company unwilling to accede. Insufficient public demand to justify formal order by Commission. Closed.
3954, Phillips N. E. RR. Co.	Turning back of Church Avenue cars, 39th Street ferry bound, at New Utrecht avenue.	Matter investigated and taken up with company. Service so improved that more than sufficient seating capacity was furnished to 39th St. Ferry. Satisfied.
3961, Gleason B. Q. Co. & Sub. RR.	Lack of shelter and long waits for shuttle cars to Broadway ferry at Williamsburg Plaza.	Satisfied by action of company arranging for all stand time to be taken at Plaza end of run, limiting waits to a minute or two.
3963, Cit. Health Prot. Assn. L. I. RR. Co.	Dangerous crossing at Hammels, Far Rockaway Division, and general crossing conditions between Long Island City and Rockaway Beach.	Conditions similar to lines operating on the surface generally in thickly settled districts. Additional protection provided at some points by gates and fences. Adequate remedy awaits elimination of grade crossings.
3964, Saward I. R. T. Co.	Inadequate service above 137th street on Broadway branch of subway.	Repeated investigation resulted in discontinuance of third-track expresses, making all trains above 96th street local. Following public hearings the company was ordered in Case 1291 to do this. Great improvement in service noticed.
3969, Burhans L. I. RR. Co.	Failure of trains to connect with ferries at Long Island City.	Investigation showed that reasonable arrangements of ferry schedules obtained and were closely adhered to. Ill founded.
3970, Pollatscheks ... N. E. RR. Co. So. Bk. Ry. Co.	No Church avenue service between 1:35 and 5 a. m., and no cars operated beyond Greenwood on Gravesend avenue after 1 a. m.	Investigation showed traffic did not warrant all night service below Greenwood. Reid Avenue line takes care of Gravesend avenue traffic above this point. Satisfied.
3972, Transp. Dept. I. R. T. Co.	Continuation of summer schedule on 9th Avenue el. to November 20.	Investigation showed that 9th Avenue el. line receives its share of equipment, which is limited throughout elevated system. New cars ordered. No further action deemed necessary pending their delivery.
3977, Worthington ... Met. St. Ry. Co.	Inadequate service on Chambers and Madison Street Horse-car line during evening rush hours.	Investigation showed that in normal weather the service on this line was adequate. Closed as ill founded.
3985, Rose I. R. T. Co.	Congestion at Christopher Street station, 9th Avenue el.	Investigation showed but slight congestion. Traffic at this station will probably decrease with the extension of Hudson Tunnels to Grand Central. Closed as ill founded.
3992, Leo Met. St. Ry. Co.	Lack of light in 8th Avenue surface cars.	Investigation showed insufficient feeder cable capacity. Company installed extra cable. Subsequent inspection showed results satisfactory.
3998, Astoria Hgts. Taxp. Assn. N. Y. & Q. Co. Ry. Co.	Poor service on Steinway line during morning and afternoon rush hours.	Investigation showed complaint justified. Matter taken up with company. A number of extra trips added to schedule also arranged to run 3-minute headway during rush hours. Satisfied.
4000, Beremsohn I. R. T. Co.	No ladies' toilet at Grand Central station. Unsanitary conditions at other station toilets.	Investigations showed that it was impracticable to instal a ladies' toilet without reconstructing the mezzanine. No action deemed advisable pending the enlarging of the station platform.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 443

File No., name of complainant and company complained against.	Subject.	Disposition.
4002, Colyer N. Y. & Q. Co. Ry. Co.	Lack of shelter for transfer passengers at Jackson Avenue terminal of Queensboro Bridge.	Matter taken up with company which installed a waiting car on the bridge plaza. Satisfied.
4003, Astoria Hgts. Taxp. Assn. I. R. T. Co.	Inadequate station facilities at the 57th Street station of 2d Avenue El. line.	After investigation entrance facilities were rearranged and extra employee added. Improved conditions somewhat. Congestion not sufficient to warrant radical changes. Closed.
4004, Haviland B. H. RR. Co.	Fulton Street car marked "Park Row" turned back at Borough Hall.	Satisfied by action of company on notification of Commission, in disciplining motormen who had violated orders.
4005, Schmid I. R. T. Co.	Inadequate station facilities at the 57th Street station of the 2d Avenue el.	See disposition of C-4003.
4012, Keating..... I. R. T. Co.	Inadequate station facilities at the Wendover Avenue station of the 3d Avenue el.	Investigation showed additional exit necessary. This was constructed within three months. Satisfied.
4013, Bullowa I. R. T. Co.	Filthy condition of steps of downtown station at 99th street on 2d Avenue el. and 106th street on 3d Avenue el. about 8 a. m.	Investigation showed complaint in large measure justified. Matter taken up with company. Great improvement in condition of stairways noted thereafter. Satisfied.
4014, Chichester L. I. RR. Co.	Overcrowded trains on Montauk Division.	Investigation made. Complainant failed to give information of instances as requested. Closed in default of complainant.
4019, Stevens..... S. I. R. T. Ry. Co.	Inadequate shelter for the St. George train platforms of North Shore Division.	Matter taken up with company which claimed repairs should be made by the city, as lessee. Formal consideration given in Case 1212, but no decision rendered Jan. 1, 1911.
4020, MacLean L. I. RR. Co.	Requesting commutation ticket privilege between Flatbush avenue and Hillside on the Atlantic Division.	Matter taken up with company. Desired tariff granted. Satisfied.
4023, Wynn N. Y. Central.	Noisy operation in yard at 196th street and Webster avenue.	Investigation showed conditions to be relieved by lessening of freight congestion. Closed pending construction by company of relieving freight yards at North White Plains.
4026, West End Imp. League. N. E. RR. Co.	Insufficient train announcement at West End terminal; sweeping of cars while occupied by passengers; no waiting-room.	Investigation showed train directory boards in place; a train always open to be used as waiting room. Employees were in the habit of sweeping cars as claimed. Matter taken up with company which ordered practice discontinued. Satisfied.
4033, Cen. Flatbush Taxp. Assn. B. H. RR. Co.	Inconvenient transfer connections at Nosstrand avenue and Malbone street.	Satisfied by action of company in rearranging car stops so that passengers will have shortest possible walk.
4037, Doone N. Y. Central.	Noisy operation in Fordham freight yard.	See disposition of C-4023.
4040, Schilling S. I. R. T. Ry. Co.	Inability to reach 149th street and 3d avenue from Eltingville by 7 a. m. Dirty cars.	Train service demanded unreasonable. Cars found generally clean. Ill founded.
4041, West End Cit. League. B. U. El. RR. Co.	Congestion at Cypress Hills station.	Investigation made. Matter taken up with company. Additional stairway built on north side of station. Order issued in Case 854, calling for radical changes in construction, but time of fulfillment has been extended, pending disposition of certain pertinent traffic rearrangements.

444 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4044, Saward Fifth Ave. Coach Co.	Lack of service on St. Nicholas Avenue line.	Investigation showed company did not possess enough stages to operate close service. Company is purchasing new stages and will gradually build up St. Nicholas Avenue route. Satisfied.
4048, Roth N. E. R.R. Co.	Poorly ventilated and unlighted waiting-room at 84th Street station.	Matter taken up with company which arranged station conditions to the satisfaction of complainant.
4049, Gravesend Bd. of Trade. So. Bk. Ry. Co.	Discontinuance of service on Reid avenue line below Kensington during winter.	Matter formally considered in Case 1206 after informal conference had failed of result. Action by Commission not deemed proper because P.S.C. Law does not provide for an order that one company shall run its cars on another company's track.
4050, Langan So. Bk. Ry. Co.	Discontinuance of service on Reid Avenue line below Kensington during winter.	See disposition of C-4049.
4051, Jennings..... N. E. R.R. Co.	Flat wheels on cars of St. John's Place line.	Investigation showed weather conditions chiefly responsible, that company was purchasing new steel wheels and replacing flattened wheels as rapidly as possible. Satisfied.
4052, Mitchell N. E. R.R. Co.	Discontinuance of transfers between 5th Avenue el. lines and the 15th Street surface line.	Complainant informed of Sec. 49, Paragraph 8, of the revised Public Service Commissions Law, which denies this Commission jurisdiction in the premises.
4059, B. Norton..... L. I. R.R. Co.	Lack of drinking water and toilet facilities on trains and unsanitary condition of station toilets between Hempstead and Flatbush avenue.	Investigation made. Matter taken up with company which reported in detail measures taken to keep station toilets in good condition. Some improvement effected. Further action for the time being was deemed inadvisable pending construction operations company has in view.
4067, G. W. Perzell <i>et al.</i> N. Y. & L. I. Tr. Co.	Petition requesting double tracking of certain portions of company's lines to secure better service.	Conditions thoroughly investigated. Considered later formally in Case 1251. No order was issued awaiting fulfillment of agreement by the company to make certain changes in "way" and heavily increase summer service.
4068, Harding I. R. T. Co.	Inadequate service s. b. on 6th Avenue el. between 8 and 8:30 a. m. at 81st street.	Investigation made. More cars could not be added until new equipment ordered was delivered. Changes in schedule effected some improvement in service. Satisfied.
4070, Hawkesworth.. Hudson & Manhattan.	Delay due to side-tracking a west-bound train between Hoboken and Jersey City.	Investigation showed this occurred outside of jurisdiction of Commission but complaint was laid before company who agreed to take matter up with complainant.
4079, Leavitt I. R. T. Co.	Protest against manner of operating shuttle train between Bowling Green and South Ferry in subway.	Investigation showed method in use best under the circumstances. Closed as ill founded.
4092, Kipp B. H. R.R. Co.	Lack of heat in Avenue C waiting-room.	Satisfied by action of company in installing stove at instance of Commission.
4094, Fiske Terrace Assn. L. I. R.R. Co.	Soft-coal smoke from locomotives of Manhattan Beach Division in vicinity of Fiske terrace.	Investigation made. Correspondence with company secured the discontinuance of the use of soft coal and the substitution of a mixture which practically eliminates heavy smoke. Satisfied.
4096, Boyd 3d Ave. R.R. Co.	Cold cars on Amsterdam Avenue branch; doors, etc., out of order.	Matter taken up with company and repairs made in some cars. Lack of heat covered by Case 1170.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 445

File No., name of complainant and company complained against.	Subject.	Disposition.
4097, Friedberg I. R. T. Co.	Inadequate stairway at 149th Street station, 3d Avenue el.	Investigation showed additional stairway desirable. This was constructed in obedience to order in Case 1215. Conditions considerably improved.
4101, Kuilen N. E. RR. Co.	Operation of freight cars on Church avenue at night.	Matter investigated. Company agreed to limit hours of such operation as far as possible. Closed.
4102, Columbia Hose Co. No. 1. L. I. RR. Co.	Delay to fire apparatus at Farmers Avenue crossing, due to passage of freight train.	Investigation of complaints about this crossing showed that its elimination at grade was only solution. Complaint was closed in formal Case 1262 (not disposed of Jan. 1, 1911).
4106, Young I. R. T. Co.	Inadequate ventilation in Broadway subway car.	Insufficient data on which to base investigation. Subway ventilation subject of continual improving effort. No specific action.
4108, Office of Boro. Pres. Bronx. I. R. T. Co.	Dangerous location of elevated pillars at 149th street.	Conditions at this point same as at many other points. No action by Commission warranted. No accidents due to location of pillars have been reported to Commission.
4109, Marks N. E. RR. Co.	Inconvenient "step-up" from station platform at 54th street and New Utrecht avenue to car steps.	Investigation showed elevation of parts of platform and other slight changes advisable. Company unwilling to make changes as station may be removed in opening of 54th street. Further action by Commission deemed inadvisable.
4110, Ullman Met. St. Ry. Co.	"Car behind" at 86th street on Madison Avenue line; alleged refusal of conductor to give continuing transfer; insolence of employee.	Matter taken up with company which states that car was signed "86th Street only." Investigation showed matter question of veracity between company and company's inspector. No further action warranted by Commission.
4111, Kolber I. R. T. Co.	Congestion at 14th Street (subway) station. Suggesting division of stairway by handrail.	Investigation showed hand-rail would be an added obstruction. Closed as ill founded.
4114, Brown B. H. RR. Co.	Lack of heat in Hamilton Avenue cars.	Investigation revealed no violation of order in Case 1170. Closed as ill founded.
4118, Prop. Owners' Assn. I. R. T. Co.	Dangerous congestion at 149th Street station, 3d Avenue el.	See disposition of C-4097.
4120, Howland.... Met. St. Ry.	Inadequate service on 7th Avenue line.	Matter investigated and taken up with company which increased service by reducing headway from 5 minutes to 3 minutes during non-rush hours. Satisfied.
4121, Arnold Union Ry. Co.	Insufficient light in White Plains Avenue cars south of 233d street.	Investigation showed increased feeder capacity necessary. Company installed additional feeders, resulting in better lighting. Satisfied.
4124, Sweeney B. U. El. RR. Co.	Instance at Bridge street of a guard on 5th Avenue el. train closing gate, excluding a passenger.	Company explained complainant reached platform after "proceed" signal had been given. Employee obeyed instructions. Closed.
4126, Pine I. R. T. Co.	Ingress and egress facilities at Chatham Square station, 3d Avenue el., bad in some particulars.	Investigation showed complaint ill founded on every point. Closed.
4128, Francis B. H. RR. Co.	Inconvenient service and connections, 16th Avenue line.	Investigation showed increased service necessary. Matter taken up with company, 18 trips added to schedule in afternoon rush hours. Satisfied.
4132, Brant B. U. El. RR. Co.	Request additional covering to west-bound platform, Franklin Avenue station, Fulton Street el.	Investigation showed need, not sufficient to warrant action by the Commission. Closed, pending prospective changes in traffic conditions.

446 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4137, Brown I. R. T. Co.	Request extra stairway from 143d Street station to 142d street.	Investigation showed existing facilities adequate. Closed as ill founded.
4141, Blumenthal ... L. I. RR. Co.	Petition against erection of fence on railroad right of way from Newport to Dumont avenue, cutting off access to Snediker avenue and other streets.	Investigation showed no jurisdiction by Commission. Closed.
4145, Anderson I. R. T. Co.	Protest against delay in completion of 130th Street station, 3d Avenue el.	Investigation showed work progressing too slowly. Taken up with company and work hastened. Station was opened a month and a half after receipt of complaint. Satisfied.
4147, Nelson N. Y. & Q. Co. Ry. Co.	Poor service on Flushing-Jamaica line and long waits in cold for passengers transferring at Queensboro Bridge plaza.	Investigation showed service reasonable but waiting car needed at Plaza. Company agreed to and did maintain same until through service was established. Satisfied.
4148, Clapham B. U. El. RR. Co.	Failure of two trains to stop at Newkirk avenue, Brighton Beach line.	Satisfied by explanation of company that one train was scheduled to run light while other had to run empty to save delay of 21 minutes further on because of brake trouble.
4151, Carruthers L. I. RR. Co.	Dangerous station arrangements at Main street, Flushing.	Investigation showed conditions dangerous; admitted also by company. No action deemed advisable, pending outcome of proceedings to eliminate Main Street crossing.
4152, Damus N. Y. & Q. Co. Ry. Co.	Irregular headway on College Point line. Poor service.	Investigation showed irregularities due to trolley wire troubles. Closed pending inauguration of new through service across Queensboro Bridge.
4153, Arnold I. R. T. Co.	Lack of heat in cars of Lenox avenue branch of subway.	Investigation showed no serious violation of order in Case 1170. Several minor instances taken up with company. No further action.
4154, Sheffield Met. St. Ry. Co.	Instance of transfer wrongly punched 34th Street crosstown car and refused with insult by conductor of Broadway car.	Taken up with company which denied correctness of complainant's data. Complainant offered hearing, but failed to respond. Matter was closed.
4155, Priest C. I. & B. RR. Co.	Lack of heat in DeKalb Avenue cars between 6 and 7 a. m.	Taken up with company which showed that order in Case 1170 was being complied with. Detailed explanation of heating regulations to complainant. No further action.
4156, Hutchins I. R. T. Co.	Inadequate subway service during non-rush hours.	Investigated and covered in Case 1211, later in Case 1291; formal proceedings not concluded Jan. 1, 1911.
4157, Franklin I. R. T. Co.	Temperature of approximately 50 deg. F. noted in north-bound subway car.	Not a violation of order in Case 1170; the same was explained to complainant. No action deemed necessary.
4158, Heller Met. St. Ry. Co.	Long waits, and failure of cars to stop on signal; Madison Avenue line.	Explained to complainant schedule provides for 45 second headway, which is interrupted only in emergency; stopping of cars at 42nd Street controlled in large measure by traffic officer. No further action.
4159, Davids I. R. T. Co.	Inadequate elevator service at 181st Street station, Broadway subway.	Investigation showed but one elevator in operation. Taken up with company which ordered both elevators operated until midnight. Satisfied.
4160, Eagleton B. U. E. RR. Co.	Poor service on Fulton Street el. during morning rush hours. Suggesting operation of more short line trains.	Repeated investigations showed existing method best. Closed as ill founded.
4161, Cary B. H. RR. Co.	Failure of cars on Montague Street line to wait for ferries from Wall street.	Satisfied by explanation of company.

File No., name of complainant and company complained against.	Subject.	Disposition.
4162, Westerly Imp. Society. S. I. Mid. Ry. Co.	Failure of cars of Silver Lake line to operate from 9 o'clock p. m. Saturday until the following Monday afternoon.	Blockade due to bad snow storm. Closed as ill founded.
4163, Fichandler. N. E. RR. Co.	Request operation of extra run on Church Ave. line about 8:30 a. m.	Taken up with company, which granted request. Satisfied.
4164, King I. R. T. Co.	Slow operation of subway trains between Atlantic avenue and Fulton Street stations.	Service repeatedly investigated and covered in Case 1211, later in Case 1291; formal proceedings not concluded Jan. 1, 1911.
4165, Prentice I. R. T. Co.	Inadequate service in subway during non-rush hours.	See disposition of C-4156.
4166, Block B. U. El. RR. Co.	Poor service on Lexington Avenue and Fulton Street lines.	Investigation showed company operating maximum service during rush hours. Service reasonable during non-rush hours. Closed, ill founded.
4167, Southwick N. E. RR. Co.	Long headway on 5th Avenue line at 5th and Bay Ridge avenues. Need for waiting room at that point.	Investigation showed service adequate for demands of traffic. Waiting room not needed. Closed, ill founded.
4168, McAuley Union Ry. Co.	Long headway and overcrowding during morning and evening rush hours on Webster and White Plains lines.	Investigation showed sewer construction largely responsible for delays. Satisfactorily explained to complainant by company.
4169, Orton B. U. El. RR. Co.	Failure of Myrtle Avenue el. trains to wait for transfer passengers at Fresh Pond Road station.	Investigations showed company required trains to wait as long as consistent with maintenance of regular schedule. Complainant unable to cite examples of flagrant breaches. Closed.
4170, Monheimer C. I. & B. RR. Co.	Instance of 10-cent fare charge between Coney Island and New York when a 5-cent fare was common practice.	Instance satisfactorily explained by company.
4171, Napier Union Ry. Co.	Instance of an unheated car leaving Bedford Park terminal, Bronx.	Taken up with company. Complainant noted general improvement in heating. Satisfied.
4172, Kaepfel B. U. El. RR. Co.	Long rush hour headway, unheated and unclean cars, Myrtle Avenue el.	Investigation made. Complaint justified as to uncleanness. Company instructed employees to exercise greater care in daily cleaning. Satisfied.
4173, Wiener N. E. RR. Co.	Long headways on 7th Avenue line, as noted on Fulton street between Boerum place and Flatbush avenue.	Complainant informed 7th Avenue surface line did not operate at point given by him. No exception by complainant. Closed, ill founded.
4174, Ridgewood Heights Imp. Assn. C. I. & B. RR. Co.	Poor service and irregular headway on DeKalb Avenue line.	Investigated and taken up with company which improved service and showed that breaks in headway were due to circumstances not controlled by it. Satisfied.
4175, Ridgewood Heights Imp. Assn. C. I. & B. RR. Co.	Requesting that waiting room at Covert and DeKalb avenues be reopened.	Taken up with company which reopened waiting room, properly lighting and heating it. Satisfied.
4176, Dix C. I. & B. RR. Co.	Car No. 474, Franklin Avenue line without heat January 5 a. m.	Instance satisfactorily explained by company. Car was an emergency substitution; had not time to be heated.
4177, 31st Ward Bd. of Trade. C. I. & B. RR. Co.	Long headways on Smith Street line between Coney Island and Park circle.	Matter taken up with company and a more uniform headway secured. Traffic insufficient to justify shorter headways.
4178, Eichberg 42d St. M. & St. N. Ave. Ry. Co.	Lack of heat on Broadway cars.	Complainant requested to give car numbers, location and time. Failing in this, complaint was closed.
4179, Mansone I. R. T. Co.	Instance of lack of heat in Broadway subway car.	Covered by Case 1170.

448 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4180, Curry N. Y. & Q. Co. Ry.	Long headway on Corona line between 9:30 and 9:55 p. m.	Satisfied by company adding an extra trip during period cited.
4181, Keller C. I. & Bk. RR. Co.	Car No. 474, Franklin Ave. line without heat January 5 a. m.	See disposition of C-4176.
4182, Fischer Third Ave. RR. Co.	Instances of delays on Broadway-Kingsbridge line.	Satisfactorily explained by company as due to severe storm.
4183, Clowes I. R. T. Co.	Inadequate and improper terminal arrangement at Atlantic Avenue terminal of the subway.	Investigation showed conditions generally well taken care of. Report made to complainant. Satisfied.
4184, Isgen B. H. RR. Co.	Failure of Lorimer Street cars to continue beyond Bayard Street to destination, as indicated on signboard.	Investigation showed few instances of this kind, all of which were justified. Closed, ill founded.
4185, Hardy, Voorhees & Co. B. Q. Co. & Sub.	Service interfered with during removal of part of Metropolitan Avenue bridge across Newtown creek.	Investigation showed conditions bad, but necessary results of important piece of city work. Ill founded.
4186, Meyer N. Y. & Q. Co. Ry. Co.	Instance of "car behind" on College Point line at 13th street and 3d avenue. Heat, light, etc.	Instance cited taken up with company and car crew at fault suspended for two days. In other matters complaint was ill founded.
4187, Gillette Union Ry. Co.	Instance of unheated car on White Plains Avenue line leaving Bedford Park terminal.	See disposition of C-4171.
4188, Stoothoff B. H. RR. Co.	Overcrowding and irregular headway on Flatbush Avenue line during morning and evening rush hours.	Repeated investigation and conferences with company. Improvements made until capacity of tracks was apparently reached. Service on short and through lines properly apportioned. Satisfied.
4189, Sackman B. H. RR. Co.	Service on Flatbush Avenue line between 9 and 10 a. m.	See disposition of C-4138.
4190, Babbott I. R. T. Co.	Overcrowding of subway expresses to Brooklyn between 11 and 12 p. m.	See disposition of C-4156.
4191, Matthei N. Y. & Q. Co. Ry. Co.	Inadequate service on Corona line.	Service investigated. After informal conferences company agreed to and did increase service. Satisfied.
4192, Mrs. Kluge..... B. H. RR. Co.	Noisy operation of cars at Graham and Johnson avenues.	Investigation showed hard centers of crossings worn out. Taken up with company and new hard centers installed. Satisfied.
4193, Holz Met. St. Ry. Co.	Long headway, 8th Avenue line north-bound, after theater hours.	Investigated and results reported to complainant, who advised that service appeared improved. Satisfied.
4194, Johnson B. H. RR. Co.	Instance of insolence and improper operation by mortorman of Graham Avenue car.	Company answered complaint, denying specifically facts stated by complainant. Complaint closed in default of an exception by complainant.
4195, Osborne N. Y. & Q. Co. Ry. Co.	Inadequate service and long headway on Corona line.	See disposition of C-4191.
4196, Wood B. U. El. RR. Co.	Delays and confusion to elevated service on Broadway line after 6 p. m., Jan. 5.	Explained to complainant trouble due to serious train collision on bridge. Satisfied.
4197, Lucas B. H. RR. Co.	Operation of cars with flat wheels on Nostrand Ave. line.	Company acknowledged ground for complaint and explained to complainant new wheels to be installed delayed in delivery by manufacturers. Satisfied.
4198, Lefferts B. H. RR. Co.	Operation of cars with flat wheels on Flatbush Ave. line.	Company explained to complainant orders have been issued for 6,600 steel wheels to cost over \$100,000, part of which were being placed on cars of this line. Satisfied.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 449

File No., name of complainant and company complained against.	Subject.	Disposition.
4199, Sherwood N. E. RR. Co.	Overcrowding on St. John's Place cars, east bound, between 9:30 and 10:30 p. m.	Investigation showed need of added through and short-line service. Informal conference with railway officials secured new schedule greatly increasing all service on this line. Satisfied.
4200, Sherwood B. U. El. RR. Co.	Instance of train leaving Park Row terminal with persons standing on front platform.	Satisfactory explanation made to complainant by company.
4201, Chalmers Met. St. Ry. Co.	Instance of unheated car on Madison Ave. line.	Terms of order in Case 1170 explained to complainant and details of further instances requested. Closed.
4202, Miller B. H. RR. Co.	Spitting on Flushing Ave. line.	Taken up with company, which explained rules to complainant stating it had instructed employees to secure their more rigid enforcement. Satisfied.
4203, Ullman I. R. T. Co.	Removal of stairway and failure to construct escalator at 177th St. station, West Farms subway.	During year station was completely reconstructed, sufficient stairways and escalator furnished. Satisfied.
4204, O'Donnell B. H. RR. Co.	Failure to hold car at Bay Ridge and Fifth Ave. for would-be passengers.	Taken up with company and complainant shown that it was impracticable to hold cars when headways were short; when headways were long, transfer agent was to hold cars for a time; agent instructed. Satisfied.
4205, Anderson I. R. T. Co.	Slow running time on south bound trains of Broadway subway during morning.	Investigation showed delays chiefly due to operation of middle track expresses above 103d Street. After hearing in Case 1291, company enforced that part of order requiring elimination of middle track expresses and operation of locals through to Dyckman Street, greatly improving conditions. Satisfied.
4206, De Rivera Met. St. Ry. Co.	Insolent conduct of conductor on Broadway-Amsterdam line.	Explained to complainant action by Commission not deemed advisable as affects relationship of employers and employees, more especially as company had disciplined offending employee. Closed.
4207, Rouse Met. St. Ry. Co.	Operation of "light" cars on 86th St. cross-town line and lack of waiting room at 86th St. and Central Park West.	Explained to complainant service on line has been recently increased. Park Department refused to allow erection of shelter at point desired. Closed, ill founded.
4208, Kuelling B. H. RR. Co.	Turning back of cars of Nostrand Ave. line at Church Ave.	Investigation showed this not a regular practice; instances noted due to stringent emergencies, resulting from severe storm. Closed.
4209, Evans C. I. & B. RR. Co.	Slowing up of east-bound DeKalb Ave. cars between Classon and Franklin Aves. during morning rush hours.	Taken up with company which explained that cars were slowed up only for safety, a headway of one minute being operated toward a busy car crossing. Satisfied.
4210, Hall B. H. RR. Co.	Certain cars on Bay Ridge Ave. line being operated with flat wheels.	Taken up with company which explained that flat wheels were being removed as fast as new wheels could be secured from manufacturers, whose delivery was delayed. Closed.
4211, Gollinghorst .. B. U. El. RR. Co.	Inadequate and unsafe station facilities at Covert Ave. and Fresh Pond Road stations, Myrtle Ave. line.	Investigation revealed no conditions at these points warranting action by the Commission. Closed, ill founded.
4212, Benson 42d St. M. & St. N. Ave. Ry. Co.	Long headway and slow running time of Broadway cars.	Investigation showed little ground for complaint. Closed, ill founded.

450 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4213, Berger Union Ry. Co.	Headways 40 minutes long on Westchester Ave. line after 1:40 a. m.; alleged violation of law compelling 20 minutes headway.	Investigation showed sufficient service provided, although some irregularity due to recent storm existed. Complainant in error on question of law. Closed, ill founded.
4214, Gott C. I. & B. RR. Co.	Irregular headway on DeKalb Ave line, and poor service.	See disposition of C-4174.
4215, Cottell N. E. RR. Co.	Unclean condition of waiting room at 69th St. station and lack of waiting room at 79th St. station, West End line.	Matter taken up with company. Waiting room at 69th Street properly attended to. Agreed to take care of waiting room at 79th Street station; this was constructed by local real estate interests. Satisfied.
4216, Cottell N. E. RR. Co.	Instance of holding up of train at 36th St. station to permit "deadhead" operation.	Instance satisfactorily explained by company to complainant.
4218, Sandman B. U. El. RR. Co.	Turning back of Lexington Ave. train marked "Express - Park Row" at Sands St. during morning rush hours.	Limitations of train operation across Brooklyn Bridge explained to complainant. No ground for action by Commission found in records of bridge operation. Closed, ill founded.
4219, Walker N. Y. Central.	Cold smoking car on train leaving Yonkers for Grand Central station.	Determined after investigation to be out of jurisdiction of Commission for First District.
4220, Levy B. H. RR. Co.	Flat wheels on Nostrand Ave. line.	See dispositions of C-4197 and C-4198.
4221, Woodside Imp. Assn. N. Y. & Q. Co. Ry. Co.	Inadequate service on Corona line during rush hours.	See disposition of C-4191.
4222, Allen L. I. Elec. Ry. Co.	Unclean condition, lack of heat and overcrowding, City Line cars.	Investigated. Covered by order in Case 506, requiring daily cleaning, disinfection every fourth day and more regular headways.
4223, Hunt B. U. El. RR. Co.	Cold car on Brighton Beach line.	Taken up with company. Explained to complainant that heat switch on this car was temporarily out of order. Closed.
4224, Burnett Met. St. Ry. Co.	Alleged universal failure on all lines to comply with order in Case 1170, in the matter of car heating.	Complainant requested to give instances of non-compliance. On his failure to do this, the complaint was closed in default.
4225, Clark Union Ry. Co.	Improper ventilation of cars on Jerome Ave. line.	Taken up with company which made explanation satisfactory to complainant.
5226, Young N. Y. & Q. Co. Ry. Co.	Failure of motorman to stop car on signal and misinformation of conductor on Dutch Kills line.	Taken up with company which made explanation satisfactory to complainant.
4227, Coughlin I. R. T. Co.	Lack of sufficient elevator service at the 181st St. station of the Broadway subway.	Taken up with company which agreed to, and did, inaugurate service of both elevators from 6:30 a. m. to 11:30 p. m. Satisfied.
4228, Nathan Met. St. Ry. Co.	Bad condition of track on Madison Ave. between 87th and 89th Streets.	Investigation showed need of new rails. Company agreed to and did relay tracks. Satisfied.
4229, Reeves I. R. T. Co.	Dirty condition of car windows in subway.	Investigation showed complaint largely justified. Taken up with company which stated that it would increase car cleaning force. Closed.
4230, Clark I. R. T. Co.	Congestion at 14th St. station in morning rush hours: suggested that operation of more local trains would relieve conditions.	Investigations showed complaint well founded as to congestion, but suggestion not a practical relief. No action deemed necessary, pending completion of platform lengthening and operation of longer trains.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 451

File No., name of complainant and company complained against.	Subject.	Disposition.
4231, Breninger B. Q. Co. & S. RR. Co.	Delancey St. bound Reid Ave. car turned back at the Plaza and no transfers issued for continuing trip.	Taken up with company which explained car was turned back because not safe to operate on bridge grades, air brakes being out of order; also that transfer agent was at hand to give transfers. Considering it a question of fact in an isolated case, no further action by Commission deemed advisable.
4232, Russell C. I. & Bk. RR. Co.	Inadequate service on Smith St. line south of Park Circle during winter months.	See disposition of C-4177.
4233, Call I. R. T. Co.	Inadequate service during non-rush hours in subway.	See disposition of C-4156.
4234, Thayer B. U. El. RR. Co.	Lexington Ave. trains marked Park Row turned back at Sands Street.	See disposition of C-4218.
4235, Paradis N. E. RR. Co.	Inadequate service on St. John's Place line.	See disposition of C-4199.
4236, Schreck I. R. T. Co.	Requesting additional stairway on downtown side of Rivington St. station, 2d Ave. el. Station generally inadequate.	Investigation showed street too narrow for additional stairway. Formal proceedings as to removal of this station to Delancey Street (Case 499) dismissed as involving serious traffic rearrangement and as possibly prejudicial to carrying out of proposed third-tracking.
4237, Northrop 42d St. M. & St. N. Ave. Ry. Co.....	Frequent failure of westbound 42d St. Crosstown cars to stop on near side of Broadway.	Investigation showed operation of cars in large measure depending on traffic officers in the vicinity. Closed, ill founded.
4238, Coxe B. H. RR. Co.	Inadequate service on Flatbush Ave. past Atlantic Ave. subway station.	See disposition of C-4188.
4239, Saxe B. H. RR. Co. Bk. Q. Co. & Sub. RR.	Operation of 16th Ave. and Reid Ave. cars on new switch opposite premises injurious to property.	Investigation showed switch in good condition and rail joints rapidly becoming smooth. Closed, ill founded.
4240, Berger B. U. El. RR. Co.	Failure of Fulton St. train marked "Park Row" to cross bridge.	See disposition of C-4218.
4241, Gallagher Bk. Q. Co. & Sub. RR.	Jarring of cars along rails on Reid Ave. near Putnam Ave.	Satisfied by action of company making application to city officials for permit to make repairs and agreeing to begin work at earliest moment.
4242, Sutton 42d St. M. & St. N. Ave. Ry. Co.....	Long headways on Bway.—10th Ave. Division.	See disposition of C-4212.
4243, Pope S. I. Midland Ry. Co. Rich. Lt. & RR. Co.	Lack of equipment to maintain through operation during snowstorms.	Taken up formally by Commission in Case 1208, a proceeding under order No. 615. Company agreed to add increased snow fighting facilities.
4244, Manhattan Maternity and Dispensary. N. Y. & Q. Co. Ry. Co.	Noise of cars rounding loops at Manhattan end of Queensboro Bridge.	Investigation showed fully 70 per cent of cars make noises rounding curves. Taken up with company which agreed to keep tracks well greased. Noises due to friction of trolley against overhead trough impracticable to eliminate. Closed.
4245, Terry N. E. RR. Co.	Instance of turning back car of Bergen St. line marked Park Row—Atlantic Ave.; alleged to be regular practice.	Investigation showed not a regular practice: instance due to heavy storm. Closed, ill founded.
4246, Flushing Assn. L. I. RR. Co.	Dangerous crossing at Lawrence St., Flushing.	Crossing admittedly dangerous; made the subject of formal proceedings, Case 1265, contemplating elimination. Not concluded Jan. 1, 1911.

452 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4247, Met. Ave. Bd. of Trade. N. Y. & Q. Co. Ry. Co.	Dangerous condition of pavement between rails of Calvary line on Juniper Ave., Middle Village.	Investigation showed vehicular traffic slight. No improvement practicable until city fixes street grades. Closed.
4248, L. F. Werner.. I. R. T. Co.	Lack of waiting room at 129th St. terminal of 2d Ave. el.	Taken up with company which made explanation satisfactory to complainant.
4249, Good Citizen-ship League. Civic League. B. H. RR. Co.	Lack of waiting room facilities at the terminus of the Flushing-Ridgewood line.	Investigation showed waiting room provided at Fresh Pond Road and Flushing terminus of line in well built up section. Closed, ill founded.
4250, Withrow I. R. T. Co.	Insufficient elevator service at 181st St. subway station — Broadway branch.	See disposition of C-4227.
4251, Knipping <i>et al.</i> L. I. RR. Co.	Request uniform fare of 5c. between Flatbush Ave. and East N. Y. Later, complaint of service over same route.	Investigation showed Saturday afternoon and morning rush hour service, also general week-day service, needed increase. Company ordered 115 new cars. Action in respect to rates between the points mentioned deemed inadvisable previous to a general consideration of rates on the whole system.
4252, Fleischman I. R. T. Co.	Inadequate ticket facilities at the west end of Grand Central station subway.	Satisfied by company instructing agent to keep ticket windows open for business while in booths.
4253, Kline B. R. T. Co.	Long headways and tie-ups during snowstorm of Jan. 14.	Investigation showed tie-ups due in measure to failure or delay in getting out snow plows. Matter covered by formal proceedings in Case 1207.
4254, Weksle N. Y. & Q. Co. Ry. Co.	Lack of heat in cars of Flushing and College Point line.	Covered by Case 1170.
4255, Baehr B. H. RR. Co. N. E. RR. Co.	Inability to transfer from Flatbush Ave. line to Putnam Ave. line on an agent's ticket received at Atlantic Ave. depot.	Taken up with company which made explanation satisfactory to complainant.
4256, Hart I. R. T. Co.	Lack of durability of elevated tickets.	Poor quality of paper used only temporarily. Explained to complainant. Closed.
4257, Burr All companies.	General complaint against transfer system in N. Y. City.	Acknowledged and closed.
4258, Chapman Docks Co. Bk. Q. Co. & Sub.	Service interfered with during removal of part of the Metropolitan Ave. bridge across Newtown Creek.	See disposition of C-4185.
4259, Folks N. Y. Central.	Request reopening of Main Line local stations at 72d, 86th and 110th streets.	Matter investigated. Insufficient traffic to warrant maintenance of stations. Closed.
4260, Civic Forum... I. R. T. Co.	Request sweeping and scrubbing with disinfectant of platforms and stairways at Grand Central station twice a week	Investigation showed station cleaned twice daily. Scrubbing in freezing weather would produce dangerous conditions on stairways and platforms. Closed. Ill founded.
4261, Conner N. E. RR. Co.	Protest against use of Loop 6 for Park Row terminal of 7th Ave. cars. Inadequate rush hour service on this line.	Investigation showed Loop 6 a more desirable terminal than former Loop 3; this line received larger share of trips across bridge in proportion than any other line. Closed, ill founded.
4262, Roos I. R. T. Co.	Poor arrangement of leaders and gutters at the 225th St. station of Broadway subway.	Matter taken up with company which made repairs to roofs. Satisfied.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 453

File No., name of complainant and company complained against.	Subject.	Disposition.
4263, Marter N. Y. C. & H. R. R.R. Co.	Waiting room space at 155th St. station of Putnam Division crowded by news-stand and bootblack stands.	Taken up with company, which removed boot-black stand and reduced size of news-stand. Satisfied.
4264, Perkins Met. St. Ry. Co.	Turning back of car on Lexington Ave. line at 24th St.	Taken up with company which explained incident due to storm emergency. Not a regular practice. Closed, ill founded.
4265, Beecher B. H. R.R. Co.	Noise of flat wheels, etc., on cars of 16th Ave. line. Two cars specified.	Taken up with company which arranged to replace flat wheels with new wheels as soon as they were delivered by the manufacturer. Closed.
4266, Palmitier B. H. R.R. Co.	Alleged disobedience of order in Case 376, prohibiting the switching back of cars with passengers aboard on Nostrand Ave. at Church Ave.	See disposition of C-4208.
4267, Local School Bd., Dist. 43. L. I. R.R. Co.	Dangerous grade crossings at Highy and Springfield Aves., Montauk Division.	Investigated and made subject of formal proceedings, Case 1221. Resulted in gates being ordered for the two crossings and installed by company. Satisfied.
4268, See Met. St. Ry. Co.	Lack of heat on various lines.	Conditions established in order of the Commission in Case 1170 explained to complainant. No further action.
4269, Jacobs Met. St. Ry. Co.	Only one trip between 6 and 6:25 a. m. from the barns of the Lenox and Lexington Ave. line.	Company in answer stated five trips left during the time specified as a rule. Complainant failed to take exception. Closed in default.
4270, Bonesteel B. U. El. R.R. Co.	Unclean condition of toilets at the terminal, 65th St. and 3d Ave.	Taken up with company, which made repairs to drainage system and put the place in order. Satisfied.
4271, Seaman N. E. R.R. Co.	"Car behind" on Vanderbilt—9th Ave. line at 15th St. and 9th Ave.	Taken up with company which showed instance due to snow storm emergency. Closed, ill founded.
4272, Cowen B. U. El. R.R. Co.	Alleged discrimination in operating inferior cars on certain lines.	Acknowledged and closed as ill founded.
4273, Greene Met. St. Ry. Co.	Inadequate service on Columbus Ave. line at night.	Taken up with company which requested specific information as to time. Complainant failed to reply, and the service being normally good, no further action was deemed necessary.
4274, Hanrahan I. R. T. Co.	Delays to southbound West Farms express trains during morning rush hours. Suggesting locals be run between 135th St. and 86th St. without stop.	Suggestion deemed impracticable. Acknowledged and closed, ill founded.
4275, Nies B. H. R.R. Co.	Inadequate station facilities at terminal, 65th St. and 3d Ave.	Complainant informed station facilities as to surface lines would be rearranged before summer. Company did this as planned. Satisfied.
4276, Hyatt Met. St. Ry. Co.	Inadequate northbound service on Lexington Ave. and other lines during afternoon rush hours.	Complainant informed these lines carrying their maximum loads at time cited by him. Tracks operated to about their full capacity. Closed, ill founded.
4277, Giles I. R. T. Co.	Requesting subway station already built at 104th St. on the Lenox Ave. branch be opened to public.	Complainant informed that no station existed at 104th Street but merely an emergency exit to the surface. Closed, ill founded.
4278, Dougherty B. U. El. R.R. Co.	Overcrowded 2-car trains of Bway. line leaving Delancey St. before 12 midnight.	Taken up with company, which continued 3-car train service until 12:30 a. m. Satisfied.

454 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4279, Ray B. Q. Co. & Sub. RR. Co.	"Dumping out" of passengers of Metropolitan Ave. line at Scott Ave. for single rail operation, due to rebuilding part of bridge across Newtown Creek.	See disposition of C-4185.
4280, Cohn L. I. RR. Co.	Dangerous conditions at Sutter Ave. and Pitkin Ave. crossings, Manhattan Beach Division.	Investigation showed two flagmen at Sutter Avenue crossing and no protection at Pitkin Avenue. Taken up with company, which reported negotiations in process between it and the Brooklyn Grade Crossings Committee contemplating grade changes in this vicinity. Closed without further action pending outcome of these negotiations.
4281, Poillon Met. St. Ry. Co.	Inadequate service on 6th and Amsterdam Ave. line after 10 p. m. northbound at 20th St.	Investigation showed service adequate. Closed, ill founded.
4282, Thomson 5th Ave. Coach Co.	Noisy operation and high speed through W. 71st St. between 5:30 p. m. and midnight, returning to garage.	Taken up with company which arranged to return its stages to garage by another route. Satisfied.
4283, Glover I. R. T. Co.	Overcrowding in subway trains to and from Brooklyn during morning and evening rush hours.	See disposition of C-4164.
4284, Hodgens So. Bk. Ry. Co.	Inadequate service between Atlantic Ave. and Parkville, 5 to 6 p. m.	Explained to complainant only remedy would be to instal short-line service beginning at a point west of Atlantic Avenue, which would be highly impracticable. Closed.
4285, Sedgwick Club. I. R. T. Co.	Request escalators or elevators between stations and viaduct at 155th St., 9th Ave. el.	Complainant acquainted with results of formal proceedings in Case 459, which determined that escalators and elevators would not meet needs at this point and could not be constructed without co-operation of City. Closed.
4286, Onken B. H. RR. Co.	Instance of turning back of car of Crosstown line at Hamilton Ave. Inadequate service.	Instance satisfactorily explained by company as having been due to a collision ahead. Service inspected and found generally adequate. Closed, ill founded.
4287, Vandaaften I. R. T. Co.	Street approach to Dyckman St. station, Broadway subway, unsatisfactory and dangerous.	Investigation showed matter in jurisdiction of Bureau of Highways.
4288, Elmhurst Taxp. Assn. B. H. RR. Co.	Inadequate service and "car ahead" practice on all lines passing Maspeth car barns.	Repeated inspections showed varying density of traffic and overloads usually for short stretches only. Matter taken up with company from time to time, as the demands of traffic indicate. This complaint closed without specific action.
4289, Tribus Rich. Lt. & RR. Co.	Inadequate service from N. Y. Ferry landing.	Investigation showed service generally adequate. Closed, ill founded.
4290, McDonald B. H. RR. Co.	Turning back of Flatbush Ave. cars at Nostrand Ave. between 6 and 8:30 p. m. Inadequate service below that point.	Investigated. Company agreed to operate sufficient service for period noted to furnish all passengers seats. Satisfied.
4291, Kelly I. R. T. Co.	Overcrowded 5-car trains on 6th Ave. el. during non-rush hours. Inadequate service during rush hours.	Complainant informed investigation showed non-rush hour service generally adequate; company had ordered many new cars, some of which were intended for this line. Closed.

File No., name of complainant and company complained against.	Subject.	Disposition.
4292, Mawson I. R. T. Co.	Suggesting that all locals on Broadway subway be operated to Dyckman Street between 4:30 and 7 p. m.	Satisfied by discontinuance of third-track expresses and operation of all locals through to Dyckman St. by order of Commission in Case 1291.
4293, Newborg I. R. T. Co.	Inadequate southbound express service from 72d St. between 9 and 10 p. m.	See disposition of C-4156.
4294, Fowler B. H. RR. Co.	Inadequate service on Lorimer St. and Greene and Gates Ave. lines after 11 p. m. Sundays.	Investigated and taken up with company to secure better service. Satisfied.
4295, Ridgewood Taxp. Assn. B. H. RR. Co.	Alleged excessive fare charged on Williamsburg Bridge local cars.	Three-cent single fare and 5-cent double fare not excessive. Closed, ill founded.
4296, Hedger N. Y. & Q. Co. Ry. Co.	Long headways on Steinway Ave. line.	Taken up with company, which put into operation a through service from Long Island City to Steinway and Riker Aves. and a shuttle service thence to North Beach. Satisfied.
4297, Taxp. Assn. 32d Ward. B. H. RR. Co.	Inadequate westbound service on Flatbush Ave. line around 8 a. m.	See disposition of C-4188.
4298, Haviland N. E. RR. Co. B. H. RR. Co.	Inability to travel via Vanderbilt Ave. and 16th Ave. lines for a single 5c. fare.	Transfer exchange between these two lines at 9th Avenue depot conceded and put into effect by company October 15, 1910.
4299, Perry Met. St. Ry. Co.	Instances of "car behind" on Broadway-Amsterdam Ave. line.	Taken up with company, which explained incidents to satisfaction of complainant.
4300, Schwacoffer ... B. R. T. Co.	Alleged lack of heat on cars of various lines when outside temperature was about 40°.	No indications of violations of order in Case 1170, terms of which were explained to complainant. Closed, ill-founded.
4301, May I. R. T. Co.	Slow running time in subway from Atlantic Ave. to Bowling Green during morning rush hours.	See disposition of C-4164.
4302, Dissosway I. R. T. Co.	Overcrowding in subway during rush hours.	See disposition of C-4164.
4303, Mand I. R. T. Co.	Inadequate station facilities at 149th St., 3d Ave. el.	See disposition of C-4097.
4304, Nellis S. I. Midland Ry. Co.	Delays and tie-ups on Silver Lake and Concord lines during snowstorm.	See disposition of C-4243.
4305, Wagener <i>et al.</i> B. U. El. RR. Co.	Petition requesting Myrtle Ave. train due at Broadway 4:30 a. m. consist of 3 instead of 2 cars.	Taken up with company which added third car as desired. Satisfied.
4306, Stoehr N. Y. Central.	Southbound train on Main line leaving Mt. Vincent at 12:16 usually late.	Investigation showed no jurisdiction by this Commission. Referred to Public Service Commission for Second District.
4307, Hardy I. R. T. Co.	Request signs in trains to announce next station.	Complainant informed of procedure in Case 1005 prior to his complaint with reference to signs in subway cars. No practical economical device such as he advocates had come to the attention of the Commission. Closed.
4308, Danziger B. U. E. RR. Co.	Overcrowding on trains of Fulton Street el. line.	Investigation showed general service on Fulton Street line adequate. Complainant informed that through service to Park row is governed by limitations of Brooklyn bridge. Closed.

456 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4309, Sheridan I. R. T. Co.	Unclean condition of floors and windows of subway cars of Lenox Ave. branch.	See disposition of C-4229.
4310, Schlüssel I. R. T. Co.	Crowding in subway trains to Brooklyn on Sundays.	See disposition of C-4164.
4312, Baldwin B. H. RR. Co.	Inadequate service on Flatbush Ave. line between Albermarle Road and Park Slope, 4 to 7 p. m.	Observations showed service apparently adequate. Closed, ill-founded.
4313, Henry N. E. RR. Co.	Inability to transfer from Church Ave. line to 5th Ave. el. line.	Complainant informed transfers not compulsory at this point, also that this Commission had no jurisdiction in the premises. No further action.
4314, Anderson B. H. RR. Co.	Overcrowding on Bridge local cars during rush hours, Brooklyn Bridge.	Investigated and taken up with company. Reapportionment of cars crossing bridge during rush hours improved service somewhat. Closed.
4315, Moore B. U. E. RR. Co.	Cold cars on Brighton Beach line.	Complainant informed of terms of order in Case 1170 and asked for specific instances. On his failure to furnish this information complaint was closed in default.
4316, Spehr I. R. T. Co. N. Y. C. Int. Ry. Co.	Poor connections between subway trains at 181st St., Broadway line, and cars of Aqueduct Ave. line.	Investigation showed complaint justified, but too large a rearrangement of schedules of several lines necessary to overcome trouble. Closed.
4317, Springfield Cit. Assn. L. I. RR. Co.	Dangerous crossings at Higby and Springfield Aves., Montauk Division.	See disposition of C-4267.
4318, Becker I. R. T. Co.	Noise of elevated trains along Columbus Ave. and injury to property due to condition of el. structure.	Investigated. No conditions found dissimilar to those throughout the entire elevated system. Complainant so informed. Closed.
4319, Johnson C. I. & B. RR. Co.	Inadequate service on DeKalb Ave. line during non-rush hours.	See disposition of C-4174.
4320, Thomas Met. St. Ry. Co.	Poor service and unclean condition of cars on the 14th St.-Williamsburg Bridge line.	Investigation showed inadequate power to run more cars across Williamsburg bridge. Company planning to instal additional cables in order to increase service on this and other lines. Cars found as clean as possible, considering traffic. Complainant so informed. Closed without further action.
4321, Smith B. H. RR. Co.	Overcrowding on cars of Putnam-Halsey line, Sunday p. m.	Taken up with company which replied to the satisfaction of complainant.
4322, Wuest B. U. El. RR. Co.	Overcrowded 2-car train service during non-rush hours on Broadway line. Unclean cars.	See disposition of C-4278. Observations subsequent to complaint showed 3-car trains in operation. Cars reasonably clean. Satisfied.
4323, Van Nest Prop. O. Assn. Union Ry. Co.	Inadequate service on Williamsbridge and 177th St. Crosstown lines.	Investigated and taken up with company which added two cars to schedule of each line. Satisfied.
4324, Clark 42d St. M. & S. Met. St. Ry. Co.	Dangerous condition of streets and tracks on Broadway from 70th to 75th St.	Investigated and taken up with companies which made repairs to rails. Satisfied.
4325, Bloomingdale. C. P. N. & E. R. RR. Co.	Ill smelling condition and shabby appearance of 59th St. Crosstown cars.	Taken up with company which stated cars cleaned and disinfected every day and being gradually repainted. Satisfied.
4326, Wyckoff Hgts. Texp. Assn. B. U. El. RR. Co.	Suggesting miscellaneous changes in operation of Myrtle Ave. el. and additional rapid transit for Ridgewood, Richmond Hill and other places.	Details given consideration and most of the suggestions appeared impracticable at the time. Detailed report made to complainant. Closed.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 457

File No., name of complainant and company complained against.	Subject.	Disposition.
4327, Doyle Met. St. Ry. Co.	Cars on many lines cold and without heat order signs.	Investigation showed no violation of order of Commission in Case 1170, terms of which were explained to complainant. Closed.
4328, Plough N. E. RR. Co.	Discontinuance of transfers between 16th St. surface line and 5th Ave. el. line.	Complainant informed companies not obliged to grant transfers at this point. Commission has no jurisdiction in the matter.
4329, Townsend I. R. T. Co.	Suggestions for improvement of loading conditions in subway cars.	Suggestions given consideration but found impracticable. Closed.
4330, Allen S. I. R. T. Co.	Coal dust and unnecessary noise in St. George freight yards.	Repeatedly investigated and taken up with company. See disposition of C-2340.
4321, Grubbs I. R. T. Co.	Inadequate elevator service at 181st St. station, Broadway subway.	See disposition of C-4227.
4332, West End Bd. of Trade. B. H. RR. Co.	Request through operation of Hamilton Ave. cars to Fort Hamilton at all times of day.	Investigation showed no demand for such service outside of rush hours. Closed, ill founded.
4333, Stansfield..... B. U. El. RR. Co.	Eastbound train on Lexington Ave. el. regularly late at Reid Ave. station.	Investigated and taken up with company, and as a result train arrives nearly on schedule time. Satisfied.
4334, Wilson B. U. El. RR. Co.	12 and 16-min. headway on Fulton Street el. between 8:30 and 9 a. m.	Closed without further action on acknowledgment being returned by post-office undelivered.
4335, Lavendol Third Ave. RR. Co.	Filthy condition of cars leaving Ft. George about 7:30 a. m.	Taken up with company which made answer satisfactory to complainant.
4336, Grant Met. St. Ry. Co.	Inadequate service on Madison Ave. line, northbound, about 7:45 p. m.	Investigation showed service generally adequate. Closed, ill founded.
4337, Miner I. R. T. Co.	Inadequate elevator service at 181st St. station, Broadway subway.	See disposition of C-4227.
4338, Turner I. R. T. Co.	Inadequate station facilities at 89th St. 3d Ave. el.	Investigation showed facilities apparently adequate. Closed, ill founded.
4339, Porter Met. St. Ry. Co.	Instance of cold car on 8th St. Crosstown line.	Taken up with company which made answer satisfactory to complainant.
4340, Fottrell B. U. El. RR. Co.	Slow running time between Adams St. and Hudson Ave. on lines operating over Myrtle Ave. el. between 8:45 and 9:30 a. m.	Taken up with company which explained delays due to passenger transfer at Adams street. Transfer point removed to Sands street which permitted freer motion over the track complained of. Satisfied.
4341, Hardie I. R. T. Co.	Miscellaneous complaint of lack of signs, calendars and clocks throughout subway and elevated system.	Acknowledge and closed as ill founded.
4342, Aronson C. I. & B. RR. Co.	Irregular headway on Franklin Ave. line between 6 and 7 p. m., at Neck Road.	Schedule of service on this line and explanation therefor reported to complainant. Satisfied.
4343, Nims I. R. T. Co.	Poor service in subway and overcrowding at Grand Central station between 8:30 and 9 a. m.	See disposition of C-4164.
4344, Smith So. Bk. Ry. Co.	Unheated waiting room at 13th Ave. station, Culver line, and inadequate early morning service.	Taken up with company which replied to complainant. On failure of complainant to take exception (letter returned by post-office) complaint was closed in default.
4345, Pieper N. E. RR. Co.	Irregular headway and bunching of cars on Church Ave. line. Poor service as compared with last year.	Taken up with company which answered that schedule had been increased by ninety trips and route extended to Canarsie depot since last year. Headway well maintained under normal conditions. Satisfied.

458 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4346, Sherman B. U. El. RR. Co.	Boys on rear platforms of trains playing with markers and lanterns.	Matter taken up with company which agreed to use every effort to avoid danger. Closed.
4347, Lefferts Pk. Imp. League. B. U. El. RR. Co.	Inadequate station facilities at Atlantic Ave., 5th Ave. el.	Repeated investigation showed the need for additional stairway facilities. On refusal of company to take proper remedial measures formal proceedings were instituted (Case 1297); not concluded January 1, 1911.
4348, France L. I. RR. Co.	Requesting covered platform at Manhattan Junction for west-bound passengers.	Explained to complainant that limitations of right of way would not permit construction of kind of station desired. Closed.
4349, Cady I. R. T. Co.	Overcrowding and irregular headways to Brooklyn in subway about 10 a. m.	See disposition of C-4164.
4350, Curtin N. E. RR. Co.	Turning back of cars of St. John's Place line at Atlantic Ave.	See disposition of C-4199.
4351, Queens Civic League N. Y. & L. I. Tr. Co.	Poor service, dirty and flat wheeled cars operated through Queens.	Matter investigated and taken up with company which had faulty cars taken into barns for repairs, and apparently generally furnished seats for all passengers. Complainant noted great improvement. Satisfied.
4352, Cree I. R. T. Co.	Inadequate number of platform men and special policemen at Borough Hall and 14th St. stations. Dangerous spaces between cars and station platforms.	Investigated. Platforms apparently adequately manned. Space between platforms subject of attention by engineers, but no adequate remedy yet brought forth. Complainant informed. Closed.
4353, Jagers <i>et al.</i> L. I. Elec. Ry. Co.	Irregular headway and unclean cars on City Line line.	See disposition of C-3846.
4354, Fuld I. R. T. Co.	Danger from third rail in case of accidents.	Acknowledged and closed without further action.
4355, Behn Un. Ry. Co.	Cold cars at 6 a. m. on Jerome Ave. line.	Taken up with company which explained that cars could not be electrically heated in barns, as insurance companies objected to trolley poles being in contact while cars are stored. Orders issued, however, to turn on full current as soon as cars left barn and keep it on until cars became warm. Satisfied.
4356, Mayer C. I. & Bk. RR. Co.	Lack of heat in De Kalb Ave. cars.	Taken up with company whose answer to complaint was returned by post-office. Closed.
4357, Fairbank B. U. El. RR. Co.	Turning back to Brighton Beach train marked Park Row at Sands street.	Investigation showed train had to be turned back because of delays and congestion on bridge. So explained to complainant. Closed, ill founded.
4358, Drake S. I. Mid. Ry. Co.	Instance of lack of heat on Silver Lake line.	Taken up with company which answered that it had statements of passengers to prove that car indicated was heated. Complainant failed to take exception. Closed in default.
4359, Lurrsen N. E. RR. Co.	Failure of southbound train of West End line to continue to Bath Beach.	Investigation showed action necessary because of block to traffic due to disabled train. Closed, ill founded.
4360, Bond I. R. T. Co.	Request installation of elevators at 92d Street station, 2d Avenue el.	Investigation showed no special reason why this station should have such a facility. Closed, ill-founded.
4361, Grant B. R. T. Co.	General complaint of poor service, cold cars, poor ventilation, etc.	Detailed answer to complainant. Closed, ill founded.
4362, Schultz S. I. R. T. Ry. Co.	Unfair rate of fare between Great Kills and St. George.	Investigation showed rate proper and in accordance with published tariff. Complainant so informed. Closed.

File No., name of complainant and company complained against.	Subject.	Disposition.
4363, Tobey 3d Ave. RR. Co.	Stopping place of south-bound cars on Broadway; obstruction to persons entering Manhattan Street subway station.	Investigation showed location of stopping point necessary because of position of viaduct pillars. Closed, ill founded.
4364, Holter C. I. & B. RR. Co.	Poor service on Smith Street line during rush hours between Park circle and Park row; congestion at Park circle.	Taken up with company which explained to complainant additional service would be inaugurated to relieve congestion at Park circle. Complainant expressed satisfaction at improvement. Satisfied.
4365, Fiske I. R. T. Co.	Inadequate service, side door operation, etc., in subway.	See disposition of C-4164.
4366, Kunz I. R. T. Co.	Failure to operate side door in a subway car.	Investigation showed car part of a mixed train being operated because old cars were being converted into side door cars. Closed, ill founded.
4367, Marshall Met. St. Ry. Co.	Instance of failure of P-A-Y-E car on Broadway-Columbus line to have heat turned on.	Taken up with company whose answer contradicted allegation of complainant. On failure of the latter to take exception complaint was closed in default.
4368, Tietz N. Y. & Q. Co. Ry. Co.	Turning back of Steinway Avenue cars marked "North Beach" at Riker avenue.	Investigated and taken up with company which agreed not to turn back cars unless in a pressing emergency. Satisfied.
4369, Heinz Met. St. Ry. Co.	Inadequate exit facilities and water soaked sand boxes on P-A-Y-E cars.	Routine investigation by equipment experts showed complaint ill founded. Closed.
4370, Morris Pk. Taxp. Assn. Union Ry. Co.	Inadequate through service on Morris Park Avenue line north of 179th street and Boston road.	Investigation showed adequate through service except during height of rush. Service later improved. Satisfied.
4371, Morgan I. R. T. Co.	Failure to lower seats opposite side doors in use on subway trains.	Investigation showed thirty-two seats in each train unoccupied because of failure to lower seats, but this method less dangerous. Explained to complainant. Closed.
4372, Clarke I. R. T. Co.	Inadequate service between 3d and 2d Avenue el. lines on 34th Street shuttle.	Investigation showed service fully adequate to traffic demand. Closed, ill founded.
4373, Seeman B. H. RR. Co.	Inadequate service on Flatbush Avenue line after theater hours.	Investigated. Taken up with company. Subsequent inspections showed increase and generally good service during period specified. Satisfied.
4374, Bd. of Aldermen I. R. T. Co.	Noisy operation and loose structure on elevated line along Columbus avenue.	See disposition of C-4318.
4375, Dawson <i>et al.</i> N. E. RR. Co.	Petition requesting that employees discontinue cleaning out West End line cars while passengers are in them.	See disposition of C-4026.
4376, Folger N. Y. & Q. Co. Ry. Co.	Insufficient through service on various lines across Queensboro bridge.	Repeated investigations indicated need for additional rolling stock. Company purchased sufficient cars to considerably improve service.
4377, Bloch 3d Ave. RR. Co.	"Car ahead" at 65th street and 3d Avenue.	Taken up with company which explained instance cited as being due to break-down. Complainant so informed. Closed.
4378, Buckman N. Y. City Int. Ry. Co.	Flat wheels on cars of 189th Street line.	Taken up with company which explained to complainant trouble due largely to slippery weather and flat wheels being replaced. Satisfied.
4379, Stratton I. R. T. Co.	Inadequate service in subway. Suggestion for increasing same.	Complainant informed of expected result of extensions of platforms and 10-car trains. See also disposition of C-4164.

460 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4380, Leland Met. St. Ry. Co.	Refusal of conductor on 6th and Amsterdam Avenue line to close ventilators on request of passenger.	Complainant informed of relation of ventilation to heating of cars and terms of order in Case 1170. Closed, ill founded.
4381, Sutphin N. E. RR. Co. B. H. RR. Co.	Noisy operation of cars of 16th Avenue and Union Street lines along Prospect Park west.	Investigated; taken up with company; new wheels and gears installed on cars found to require them. Closed as satisfied, but inspections made from time to time to eliminate trouble which is of a recurrent nature.
4382, Milne Met. St. Ry. Co.	Insufficient heat turned on in car of 8th Avenue line.	Taken up with company whose answer maintained car was heated. On failure of complainant to take exception complaint closed on default.
4383, Sunset Pk. Prop. O. Assn. ... So. Bk. Ry. Co.	Request installation of lights at south side of 8th Avenue station of Culver line.	Acknowledged and closed without further action.
4384, Seibert C. I. & B. RR. Co. Met. St. Ry. Co.	Two instances of improper heating of cars.	Taken up with companies. Coney Island & Brooklyn employee mistook orders. Metropolitan Street Railway employee failed to obey orders; was suspended. Satisfied.
4385, Jenner I. R. T. Co.	Cutting off of cars at 137th Street station Broadway subway, southbound, around 7:30 a. m.	Taken up with company which made answer satisfactory to complainant.
4386, Chenoweth C. I. & B. RR. Co.	General lack of heat in DeKalb Avenue cars.	Investigation showed terms of order in Case 1170 generally complied with. Order explained to complainant. Closed, ill founded.
4387, W. Side Taxp. Assn. Met. St. Ry. Co.	Inadequate service on 8th Avenue line below 13th street.	Investigated and satisfactory report made to complainant.
4388, Tannenbaum .. Met. St. Ry. Co.	Dangerous hole in pavement beside track at Columbus avenue and 75th street.	Investigated and taken up with company which repaired pavement. Satisfied.
4389, Wyckoff Hgts. Taxp. Assn. B. U. El. RR. Co.	Protest against employment of women at night as ticket agents.	Complainant informed not a matter within jurisdiction of this Commission; referred to State Department of Labor.
4390, Murphy I. R. T. Co.	Poor ventilation on car of train from West Farms in subway.	Complaint made subject of general inspection. Poor ventilation due generally to failure of employees to obey company's orders. Taken up with company. Satisfied.
4391, New Utrecht Imp. Assn. B. U. El. RR. Co.	Inadequate station facilities at Atlantic Avenue station, 5th Avenue el.	See disposition of C-4347.
4392, Slobodin I. R. T. Co.	Insufficient platform employees in subway to oversee operation of side doors.	Investigated. No mechanical means at hand to render operation of side doors absolutely safe; automatic train signal prevents dragging of passengers. Platforms at congested stations adequately manned. Complainant so informed. Closed.
4393, Robinson I. R. T. Co.	Improper use of side doors and need for sliding platforms at curved stations in subway.	See disposition of C-4392. No adequate sliding platform device yet found.
4394, Nelson N. Y. & Q. Co. Ry. Co.	Inadequate through service on Flushing line between 5 and 7 p. m.	See disposition of C-4376.
4395, Kelly I. R. T. Co.	Failure of 3d Avenue trains to stop at 89th Street station.	Instance noted a violation of company orders. Investigation showed such operation not excessive. Complainant so informed. Closed.
4396, Brown I. R. T. Co.	Transportation of bundles of newspapers annoying to passengers in subway.	See disposition of C-3588.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 461

File No., name of complainant and company complained against.	Subject.	Disposition.
4397, Melcher N. Y. & L. I. Tr. Co.	Inadequate service on Freeport line.	Investigated; taken up with company which began overhauling equipment to better service. No further action deemed necessary pending result of company's efforts.
4398, Dallet (Mrs.). N. Y. Central	Noisy operation of engines past 96th street on Hudson River Division.	Investigated. Conditions somewhat ameliorated. Formal proceedings in Case 1183 suspended pending settlement of city litigation; reopened in Case 1283, not decided January 1, 1911.
4399, Dobbins N. Y. & Q. Co. Ry. Co.	Inadequate service on Corona line.	See disposition of C-4191.
4400, Flushing Assn. I. R. T. Co.	Inadequate station facilities on 2d Avenue el. in vicinity of Williamsburg Bridge terminal.	See disposition of C-4003.
4401, Wilkinson I. R. T. Co.	Request extra trainmen to go through subway trains and distribute loads.	Acknowledged and closed as ill founded.
4402, Topham N. E. RR. Co.	Filthy and cold condition of 58th Street station, West End line.	Taken up with company which installed stove and arranged to have waiting room cleaned out regularly. Satisfied.
4403, Gempler B. U. El. RR. Co.	Inadequate service to Park row on Lexington Avenue line.	Detailed explanation of conditions at Brooklyn bridge governing volume of through traffic, made to complainant. Satisfied.
4404, Harmon B. H. RR. Co.	Turning back cars at Hamilton avenue and Woodhull street. Inadequate through service.	Investigation showed practice as described, but necessary during rush hours, at which time through service is maintained on about a 2-minute headway. Closed.
4405, Bd. of Aldermen Met. St. Ry. Co.	Turning back of cars of Amsterdam Avenue line at 106th Street. Inconvenience to transfer passengers at that point.	Investigation showed practice as described; method of operation the best under circumstances. Explained to complainant. Closed.
4406, Bd. of Aldermen B. R. T. Co.	Request shelter station at intersection of Fulton street, Jamaica avenue, Alabama avenue and Broadway, East New York.	Investigation showed conditions not exceptional at this point; insufficient demand to warrant expenditure. Complainant so informed. Closed.
4407, Lehrenkrauss.. B. H. RR. Co.	Cold car on Flatbush Avenue line.	Taken up with company which answered that three points of heat were turned on in car. On failure of complainant to take exception complaint closed in default.
4408, House & Real Est. Owners Assn. I. R. T. Co.	Request two additional stairways at 86th St. station.	Complainant informed of result of formal proceedings in Case 468, when it was decided there was not sufficient demand to warrant expenditure. Closed.
4409, Roberts N. Y. & Q. Co. Ry. Co.	Inadequate through service across Queensboro bridge.	See disposition of C-4398.
4410, Keller I. R. T. Co.	Injury to property due to storage of cars at night on third track between 183d street and Pelham avenue, 3d Avenue el.	Investigation showed such storage unavoidable. Company instructed employees to use care in cleaning stored cars. Closed.
4411, Schutze N. E. RR. Co.	Alleged encroachment by company on land of complainant by spur track and annoyance due to coupling trains at Bay 19th street.	Investigation showed no jurisdiction by Commission in former matter, but latter matter was taken up with company which arranged for coupling of trains at another point. Satisfied.
4412, Oppenheimer.. I. R. T. Co.	Request that elevated station be located at 150th street, 8th Avenue line.	Complainant informed this would be detrimental to interests of real rapid transit. Closed, ill founded.

462 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4413, See N. Y. N. H. & H. RR. Co.	Overcrowding on certain train leaving Grand Central.	Taken up with company which made answer satisfactory to complainant.
4414, Platt I. R. T. Co.	Inconvenience of shuttle service between Bowling Green and South Ferry.	Observation showed that shuttle arrangement was best facility to permit continued through operation to Brooklyn. Complainant so informed. Closed, ill founded.
4415, Lebel I. R. T. Co.	Lack of heat in 8:20 a. m. train for Brooklyn from 177th street, Lenox Avenue branch.	Investigation showed conductor failed to obey instructions. Complainant so informed. Closed.
4416, Lebel Union Ry. Co. Westchester Elec. Ry. Co.	Failure to keep waiting rooms open at 242d street and White Plains avenue and 200th street and Bronx Park.	Taken up with company which made answer satisfactory to complainant who stated improvement noticed since his complaint. Satisfied.
4417, Sutton Met. St. Ry. Co.	Apparent lack of power for cars crossing Williamsburg bridge.	See disposition of C-4320. Actual work of installing additional cables commenced about January 1, 1911.
4418, Danenbaum ... I. R. T. Co.	Inadequate through service southbound during rush hours, 6th Avenue el.	Trouble on dates specified by complainant due to ice storm. Complainant informed of this and of formal proceedings in Case 1306 covering service on this part of the elevated system (not concluded January 1, 1911).
4419, White I. R. T. Co.	Overcrowding on 3d Avenue el. trains on Sundays and inadequate service on 42d Street shuttle.	Investigation showed slight increase in service necessary 2 to 5 p. m., Sunday afternoons; taken care of by order in formal Case 1217. Shuttle service adequate.
4420, Markey I. R. T. Co.	Instance of accident due to space between cars in subways and curved platform edges.	Effort being made to secure satisfactory remedial device but no success attained. Complainant so informed. Closed.
4421, Greener B. U. El. RR. Co.	Refusal of station agent of Prospect Park-Brighton Beach line to accept and change a \$2-bill tendered for two fares.	Taken up with company which made answer that ticket agent was at fault and was disciplined. Satisfied.
4422, Barton L. I. RR. Co.	Lack of toilets on trains of different divisions.	Taken up with company which explained that city ordinances forbid use of toilets on trains within city limits. Lack of toilets on through trains referred for attention of Second District. Closed.
4423, Riegger I. R. T. Co.	Request that all trains leaving 155th Street station, 9th Avenue el., be either dispatched from west side of station or that 6th Avenue trains leave from one side and 9th Avenue trains from the other.	Investigated and both suggestions found to be impracticable. Detailed report made to complainant. Closed, ill founded.
4424, Duer <i>et al.</i> ... C. I. & B. RR. Co.	Request operation of every third car of the combination type between April and October because high step open cars produce discomfort to fat people and women.	Taken up with company which agreed to operate cars of type desired as experiment. Experiment proved failure. Closed.
4425, Douglaston Civic Assn. L. I. RR. Co.	Protest against plan of railroad to construct high bridge crossing over Main avenue, Douglaston.	Taken up with company which advised that no such plans were under consideration. Closed, ill founded.
4426, Schneider Met. St. Ry. Co.	Failure of car on Broadway to stop for passengers at 42d st.	Taken up with company which made answer that inspector and motor-man at fault were reprimanded. Satisfied.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 463

File No., name of complainant and company complained against.	Subject.	Disposition.
4427, Saterg N. E. RR. Co.	Long delays on 39th Street-Coney Island line.	Investigated. Taken up with company which showed specific cases of delay due to derailed cars; advised further other delays due to cars making connections with ferry boats at 39th street. Complainant so advised. Closed.
4428, Coleman I. R. T. Co.	Instance of overcrowded stairway at uptown 23th Street station, 3d Avenue el.	Investigation showed instance cited exceptional as facilities were normally adequate. Complainant so informed. Closed, ill founded.
4429, MacCormack .. N. E. RR. Co.	Alleged decrease in service on Church Avenue line after Christmas snow storm.	Investigation showed headways the same as before Christmas and sufficient seats for passengers generally. Complainant so informed. Closed.
4430, Frank I. R. T. Co.	Request that through train be started from West Farms in the subway at 5 a. m. instead of 6 a. m.	Investigation showed 10-minute headway from West Farms between 5 and 6 a. m. and no overloads. Closed, ill founded.
4431, Martin N. Y. N. H. & H. RR. Co.	Overcrowding on trains between Grand Central and Mt. Vernon on Lincoln's birthday.	Taken up with company which reported four additional coaches left off this train through inadvertence of chief train dispatcher. Complainant so informed. Closed.
4432, Seitz B. H. RR. Co.	Request construction of switch at Nostrand and Putnam avenues to relieve tie-ups on Gates Avenue line between Nostrand Ave. and Fulton street.	Investigation showed physical conditions preclude such construction; good track connection at other points. Closed.
4433, Bd. of Aldermen N. Y. & L. I. Tr. Co. L. I. Elec. Ry. Co.	Request shelter for transfer passengers at Fulton and Washington streets, Jamaica.	Investigation showed no special reason and no physical site for waiting room at this point. Closed, ill founded.
4434, Baradet et al.. N. Y. & Q. Co. Ry. Co.	Petition requesting change of terminal at Sanford and Parsons avenues to another point.	Investigation showed insufficient traffic demand for change. Closed, ill founded.
4435, Orton N. Y. & Q. Co. Ry. Co.	Overcrowding on Corona line on Queensboro bridge.	Investigation showed insufficient number of cars owned by company to provide for growth of traffic. New cars ordered; open summer cars about to be put into service. Complainant so informed. Closed.
4436, Wyckoff Hgts. Taxp. Assn. B. U. El. RR. Co.	Salmon and yellow transfers at Wyckoff Avenue terminal not good in both directions.	Taken up with company which made satisfactory explanation to complainant.
4437, Jamaica Cit. Assn. B. Q. Co. & Sub. RR. Co.	Turning back of cars of Jamaica Avenue line at Richmond Hill. Poor service.	Investigation showed complaint well founded. Taken up with company which improved service somewhat, but not sufficiently until operation of open cars was resumed for summer. Closed.
4438, Goldey B. U. El. RR. Co.	Request installation of guard rails along elevated tracks to prevent possible fall of cars from structure.	Investigation showed such accidents very rare and that such guard rails have been of little value in the past. Closed, ill founded.
4439, Grom Van Brunt St. & Erie Basin RR. Co.	Car No. 34 noisy.	Taken up with company which remedied defects. Satisfied.
4440, Burr D. D. E. B. & B. RR. Co.	Failure of cars to stop on west side of Bowery-Grand Street line	Investigation showed car operations at this point dependent on traffic officer. Closed, ill founded.
4441, Lebel Union Ry. Co.	"Car ahead" on Williamsbridge line at West Farms.	Taken up with company which explained that car in question had motor trouble. Satisfied.
4442, Brown Union Ry. Co.	Long and irregular headways on Sedgwick Avenue line.	Investigated. Company added cars to schedule and explained instances of delays. Satisfied.

464 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4443, Rau I. R. T. Co.	Delays and long headways, 10 to 15 minutes between 9 and 9:30 a. m. on 3d Avenue el.	Covered by formal proceedings in Case 1217.
4444, Olpp Bronx Central Tr. & Imp. League	Request for hearing on proposed crosstown line in Bronx, and on other transit measures.	On complainant's failure to comply with request to be specific, complaint closed in default.
4445, Dungan <i>et al.</i> I. R. T. Co.	Petition for additional stairway at downtown station Christopher street, 9th Avenue el.	Investigation showed stairway advisable. Pending disposition of third-tracking of 9th Avenue line. No action deemed necessary.
4446, Reynolds I. R. T. Co.	Remissness and insolence of ticket chopper at 79th Street station of subway.	Taken up with company. Employee disciplined. Complainant satisfied.
4447, Studer B. Q. Co. & Sub. RR. Co.	Turning back of cars of Jamaica Avenue line at Richmond Hill. Poor service.	See disposition of C-4437.
4448, Oberdorfer N. E. RR. Co.	Refusal to accept on 5th Avenue el. a transfer on a transfer from 5th Avenue surface cars at 36th street.	Investigation showed company within legal rights. Complainant so informed. Closed, ill founded.
4449, Sidman B. H. RR. Co.	Poor ventilation on Brooklyn Bridge local cars.	Taken up with company which made answer satisfactory to complainant.
4450, Dinwiddie I. R. T. Co.	Request that signs on 3d Avenue el. station be placed lower and illuminated.	Investigation showed no necessity for so sweeping an alteration. Closed, ill founded.
4451, Munch 2d Ave. RR. Co.	Alleged non-equipment of cars on First Avenue branch with heating apparatus.	Taken up with company which declared all cars equipped with heaters. On failure of complainant to give instance of non-equipment, complaint closed in default.
4452, Bishop I. R. T. Co.	Long headways on 3d Avenue el. line south-bound during morning rush hour.	See disposition of C-4443.
4453, Clark S. I. R. T. Ry. Co.	Insufficient information on time table.	Investigation disclosed no great demand for detailed time table because of the number of trains operated. Closed, ill founded.
4454, Roos I. R. T. Co.	Signs on platforms of 225th Street station, Broadway subway, damaging to property.	Taken up with company which removed signs requested. Satisfied.
4455, Bk. Economic & Social Club ... B. R. T. Co.	Protest against use of open vestibules during cold weather.	Investigated and satisfied by order in Case 1150, which directed that all cars purchased for use on surface lines during cold weather be equipped with closed vestibules.
4456, Steengrafe S. I. Mid. Ry. Co.	Delays and dangerous overcrowding on car of Silver Lake line connecting with boat at St. George at 8:45 a. m.	Taken up with company which satisfied complaint by adding extra car to schedule for use of school children.
4457, O'Brien B. Q. Co. & Sub. RR. Co. B. U. El. RR. Co.	Discomfort due to discharging of transfer passengers from surface cars 100 feet or more east of waiting room and stairs at Cypress Hills terminal.	Taken up with company which made answer satisfactory to complainant.
4458, Seegel N. Y. & Q. Co. Ry. Co.	Long headways on Flushing and College Point line at New York end of Queensboro bridge.	See disposition of C-4435 (on service on Corona line).
4459, Jardin L. I. RR. Co.	Request additional station on Atlantic Division between Warwick street and East New York.	Complainant informed that extra stations generally operate to the disadvantage of real rapid transit. No special need for station. Closed, ill founded.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 465.

File No., name of complainant and company complained against.	Subject.	Disposition.
4460, Adams I. R. T. Co.	Transportation of bundles of newspapers in subway annoying to passengers.	See disposition of C-3588.
4461, Ingram Union Ry. Co.	Alleged deliberate issue of improper transfer by conductor on Jerome Avenue line.	Taken up with company which found the conductor at fault and suspended him. Fare refunded to complainant and apology made. Satisfied.
4462, Blythe S. I. Mid. Ry. Co.	Unsafe overcrowding of car on Silver Lake line in morning.	See disposition of C-4456.
4463, So. Bk. Savings Institution N. E. RR. Co. B. H. RR. Co.	Inadequate service on Crosstown, Hicks St. and 5th Avenue lines during certain hours of the day.	Investigation showed that except at height of rush hours ample service was furnished on these lines. Closed, ill founded.
4464, Brewer B. H. RR. Co.	Noisy operation of cars at Greene avenue and South Oxford street.	Taken up with company which made answer satisfactory to complainant.
4465, Smith I. R. T. Co.	Operation of trains with too few cars on 2d Avenue el. between 8:30 and 9 a. m.	Investigation showed all trains with full number of cars except three 5-car trains, which carried unusually light overloads. Covered also by formal proceedings in Case 1217.
4466, Ogden N. Y. & Q. Co. Ry. Co.	Insufficient barriers to keep derailed cars from leaving Queensboro bridge and falling into East River.	Investigation showed ample barriers. Detailed explanation to complainant who expressed relief thereat. Closed, ill founded.
4467, Muller N. E. RR. Co.	Flat wheels on cars of 5th Avenue line.	Investigation showed company rapidly replacing wheels flatted by slippery weather with new steel wheels. Complainant so informed. Satisfied.
4468, Hyde I. R. T. Co.	Alleged filthy condition of downtown station, 59th St. in subway, on morning of March 1, and at other times.	Taken up with company which had station cleaned up immediately. Satisfied.
4469, Stout N. E. RR. Co.	Flat wheels on cars operating on 86th street.	See disposition of C-4467.
4470, Burnham I. R. T. Co.	Instance of subway train marked "Brooklyn" being turned back at Bowling Green.	Taken up with company which made answer that operation was necessary to clear congestion resulting from signal trouble. Satisfied.
4471, Kattenhorn ... N. Y. & L. I. Tr. Co.	Inadequate service and long headways on the Freeport line.	Investigation made. Company overhauled equipment to permit increase in service. Closed pending result of efforts of company.
4472, Conley Yonkers RR. Co.	Alleged failure to maintain proper heat in car of Broadway line.	On failure of complainant to specify time as requested, complaint was closed in default.
4473, Maspeth Taxp. Imp. Assn. B. H. RR. Co.	Blocking of street in front of Maspeth car barn by cars on four tracks.	Investigated and complaint in a measure justified, but terms of franchise granted prior to jurisdiction of Public Service Commission precluded necessary remedial action. Complainant so informed. Closed.
4474, Hanan N. E. RR. Co.	Instance of delay to service on Church Avenue line.	Matter taken up with company which made answer satisfactory to complainant.
4475, Becker <i>et al.</i> .. B. H. RR. Co.	Inadequate service on Flatbush Avenue line south of Nostrand Avenue, mornings.	Taken up with company which agreed to maintain a more regular schedule south of Nostrand Avenue. Closed pending results of service rearrangement.
4476, Mitchell B. H. RR. Co.	Certain cars on 65th St.-Bay Ridge Avenue line, with flat wheels.	Taken up with company which removed cars from service for repairs. Complainant expressed satisfaction.
4477, Stratton 5th Ave. Coach Co.	Refusal to permit a woman to become standing passenger in bus; vice-president of company permitted to do so.	Taken up with company. Conductor was in error in excluding passenger; man allowed to board was an employee of company. Satisfied.

466 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4478, Newman Bk. Q. Co. & Sub.	Failure of Broadway shuttle car to wait sufficient length of time for passengers to board.	Taken up with company, which made answer satisfactory to complainant.
4479, Aikman B. U. El. RR. Co.	Seventy-five per cent of Fulton Street el. trains sent to Fulton Ferry.	Examination of train sheets showed that on date complained of only 30 per cent of trains was sent to Fulton Ferry. Closed, ill founded.
4480, Flushing Assn. N. Y. & Q. Co. Ry. Co.	Request installation of overhead trolley troughs at Main Street crossing, Flushing.	On failure of complainant to respond to request for positive complaint for formal action, complaint was closed in default.
4481, Jenks <i>et al.</i> ... N. Y. & Q. Co. Ry. Co.	Dirty cars on several lines around 7:30 a. m.	Taken up with company and investigated. Subsequent observations showed cars in much better condition. Satisfied.
4482, Denholm Union Ry. Co.	Alleged cold car on Jerome Avenue line when outside temperature was 44 deg.	No violation indicated of order in Case 1170, the terms of which were explained to complainant. Closed, ill founded.
4483, Barnes I. R. T. Co.	Inadequate station facilities at the Rivington Street station of 2d Avenue el.	See disposition of C-4236.
4484, Klein I. R. T. Co.	Improper arrangement of exit facilities at 110th Street station, Lenox Avenue subway.	Investigation showed exit facilities well disposed of to accommodate traffic. Closed, ill founded.
4485, Smith I. R. T. Co.	Congestion at 14th Street subway station in the morning and improper despatching of trains.	Complainant informed of contemplated lengthening of platforms. Certain suggestions made impracticable. Closed, ill founded.
4486, Thurston B. U. El. RR. Co.	Delays to Lexington Avenue el. service on March 3d. Turning back of trains marked "Park Row" at Sands street.	Explained to complainant delays due to heavy fog on the day cited and that less than 2 per cent of all trains are turned back at Sands street. Closed.
4487, Bd. of Aldermen I. R. T. Co.	Urging rapid completion of escalator at 177th Street station, Lenox avenue subway.	Delay in completion of escalator due to non-delivery of materials by manufacturer. Escalator put into operation soon after receipt of complaint. No action by Commission deemed necessary.
4488, Bd. of Aldermen B. U. El. RR. Co.	Resolution requesting widening of stairs at Sutter avenue and opening of Livonia Avenue station.	Thoroughly investigated and taken up with company. New stairway constructed at Sutter avenue. No action deemed advisable on Livonia Avenue station pending establishment of grade of Manhattan Division of Long Island Railroad by Brooklyn Grade Crossings Committee. Complainant informed. Satisfied.
4489, So. Bk. Bd. of Trade C. I. & B. RR. Co.	Request that low step "combination cars" be used all summer.	Result of experiment tried in C-4424 narrated to complainant. Company to operate ten such cars in spite of little public demand for them. Satisfied.
4490, Hutchins Yonkers RR. Co.	Alleged cold car on Broadway line when outside temperature was 43 deg. F.	No violation indicated of order in Case 1170, the terms of which were explained to complainant. Closed, ill founded.
4491, Wolf B. U. El. RR. Co.	Overcrowding on Brighton Beach trains at all hours.	Investigation showed that during the day an average of only 67 per cent of seats were occupied. Complainant so informed. Closed, ill founded.
4492, Mosher Union Ry. Co.	Turning back of cars of 138th Street line several blocks short of destination.	Investigation. Complaint justified in a measure, but such operation inconveniences but few and is to the advantage of the heaviest traffic on the line. Cars run through to terminus if requested by passengers. Complainant informed. Closed.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 467

File No., name of complainant and company complained against.	Subject.	Disposition.
4493, 28th Wd. Taxp. Protective Assn. .. B. U. El. RR. Co.	Failure of Broadway short line express service to extend to Gates avenue instead of Kosciusko street.	Taken up with company and satisfactorily explained that junction with Lexington Avenue service west of Gates avenue makes operation desired impracticable.
4494, Island Cities Real Estate Co.... L. I. RR. Co.	Failure of company to agree with complainant as to maintenance of grade crossing in Bellaire.	Investigation showed no obligation on company; Complainant in conference with Commissioner Bassett; satisfied to close matter for time being.
4495, Schmidt N. E. RR. Co.	Flat wheels on Bergen St. cars.	Taken up with company which explained to complainant arrangement for replacing flat wheels with new steel wheels. Satisfied.
4496, Realty Dealers Borough Pres. N. E. RR. Co. B. U. El. RR. Co.	Inadequate service on West End line at night; long headway on Bay Ridge line at night; skipping of Bridge St. station.	Thoroughly investigated; service found reasonably adequate; out-bound express trains at night scheduled to make no stop at Bridge street. Detailed report to complainant. Closed, ill founded.
4497, Klein I. R. T. Co.	Inadequate service around 3:20 a. m. Sundays in subway.	Investigated and taken up with company. Subsequent observation showed decided improvement. Satisfied.
4498, Turck <i>et al.</i> N. Y. & Q. Co. Ry. Co.	Inadequate service on Corona line around 4 a. m.	Taken up with company which expressed intention to satisfy complainants. Complainants informed. Satisfied.
4499, City Island Bd. of Trade City Island & Pelham Pk. RR. Co.	Failure to provide service through to Belden Point.	After extensive correspondence complainant was informed formal consideration would be given the matter if he would take proper steps. On failure to do this complaint was closed in default.
4500, Turk I. R. T. Co.	Inadequate non-rush hour service in subway.	See disposition of C-4156.
4501, Schneps Union Ry. Co.	Erection of large iron post in front of complainant's property without his consent.	Investigation showed no jurisdiction by Public Service Commission. Complaint referred to Bureau of Water Supply, Gas and Electricity.
4502, Brown I. R. T. Co.	Lack of clear destination signs on front car of elevated trains.	Investigation showed insufficient need for illuminated signs to justify necessary expense. No further action by Commission deemed necessary.
4503, Anderson 5th Ave. Coach Co.	Annoyance due to stages left standing in front of premises at night.	Investigated and taken up with company which arranged to discontinue practice. Complainant expressed appreciation of action taken.
4504, DeLamater ... I. R. T. Co.	Request that station signs in subway bear names of streets intersecting above.	Acknowledged and closed as ill founded.
4505, Nash I. R. T. Co.	Inadequate service on Third Ave. el. during non-rush hours.	Covered by formal proceedings in Case 1217.
4506, Walker, Assemblyman Met. St. Ry. Co.	Inadequate service on 8th Ave. line below 13th St.	Investigation showed service generally adequate on 3-minute headway. Delays due usually to blockading trucks. Complainant so informed. Closed, ill founded.
4507, Manley I. R. T. Co.	Inadequate service during morning rush hours, northbound on 6th Ave. el.	Investigated and covered by formal proceedings in Case 1217.
4508, Hall I. R. T. Co.	Instance of failure of southbound train in Lenox Ave. subway to stop at 174th St. station.	Taken up with company which made answer satisfactory to complainant.
4509, Kahan I. R. T. Co.	Request removal of dangerous "L" pillar at 59th St. and 9th Ave. to a safer location.	Taken up with company which removed pillar as requested. Satisfied.

468 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4510, Cushman Met. St. Ry. Co.	Inadequate service and long headways on 9th Ave. line.	Periodical inspections showed large increase in number of cars operated, but heavier traffic demand. Complainant informed of systematic effort to provide adequate service. Closed.
4511, Williams I. R. T. Co.	Inadequate service in subway.	See disposition of C-4164.
4512, Steele B. U. El. RR. Co.	Poor loading arrangement at Park Row terminal of Brooklyn Bridge.	Detailed explanation to complainant of existing arrangements and reason therefor. Satisfied.
4513, East Bronx Prop. O. Assn. ... Union Ry. Co.	Long headways on Westchester Ave. between 1:20 and 5:30 a. m.	Taken up with company which made report that cost of operation during the period cited was twice as much as receipts taken in, but agreed within a short time to add two extra cars to schedule. Satisfied.
4514, Mott I. R. T. Co.	Failure of guard to keep end door in subway car open long enough for a number of passengers to board.	Taken up with company which made answer satisfactory to complainant.
4515, Rogers I. R. T. Co.	No subway expresses southbound from 96th St. before 6 a. m.	Routine inspections showed sufficient service before 6 a. m. Closed, ill founded.
4516, Mathison I. R. T. Co.	Smoking in subway dangerous.	Taken up with company which conferred with health department. New prohibitory signs posted and offenders arrested. Satisfied.
4517, Sherman I. R. T. Co.	Insolence of ticket seller to passenger who accidentally failed to tender sufficient payment of tickets.	Taken up with company which denied intent of agent to be insulting. Complainant informed and no further action taken on his failure to take exception.
4518, Crandall L. I. RR. Co.	Inadequate manning of train on Atlantic Division.	Covered by formal proceedings in Case 1192. Order subsequently issued directed adequate manning.
4519, Cahill S. I. Mid. Ry. Co.	Overcrowding of car on Silver Lake line in the morning.	See disposition of 4456.
4520, Clark C. I. & B. RR. Co.	Alleged discrimination in rates on Smith St. line below Park Circle.	Taken up with company, an official of which made a satisfactory explanation to complainant.
4521, Rep. Assn., 21st Election Dist. B. R. T. Co.	Inadequate service on various lines.	Investigation showed service on the whole reasonably adequate. Detailed report to complainant. Closed. Ill founded.
4522, Munter I. R. T. Co.	Overcrowding on 9th Ave. el. express trains between 7 and 9:20 a. m.	Routine inspections have indicated the best rapid transit service in city on this line. Covered by formal proceedings in Case 1217. Complainant informed.
4523, Dutch Kills Cit. Assn. N. Y. & Q. Co. Ry. Co.	Inadequate morning and evening rush hour service over Queensboro Bridge.	Complainant informed of results of repeated inspections. See dispositions of C-4435 and C-4458.
4524, Walters B. R. T. Co.	Failure to instal improved fenders as ordered by the Commission.	Informed complainant extension of time was granted companies in Brooklyn because of unusual difficulties to be encountered. Cars completely equipped with improved wheel guards during year.
4525, Carroll I. R. T. Co.	Inadequate service on el. line during non-rush hours.	Covered by formal proceedings in Case 1217.
4526, Civic Alliance Ind. League of 35th Assem. Dist. I. R. T. Co.	Request immediate physical connection and operation between 3d Ave. el. and subway system in vicinity of 149th St.	Proposition deemed impracticable at the time. On failure of complainant to reply to request for conference complaint was closed in default.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 469

File No., name of complainant and company complained against.	Subject.	Disposition.
4527, Seaton S. I. Ry. Co.	Rotten ties and old spikes in tracks between St. George and Tottenville.	Investigation showed that with exception of one location, which would be repaired in the customary spring renewal, condition of way was generally good. Closed, ill founded.
4528, Stocksdale B. U. El. RR. Co.	Inadequate local service on Bay Ridge line at Bridge St. Poor transfer facilities at 65th St. terminal.	Detailed explanation of traffic conditions at Bridge street and notice of proposed reconstruction at 65th St. made to complainant. Satisfied.
4529, Haskell I. R. T. Co.	Inadequate protection against injury in passing from car to car in the subway.	Records and investigation showed accidents extremely rare and cost of prevention out of all proportion. Complainant so informed. Closed.
4530, Kent B. H. RR. Co.	Inadequate service on Lorimer St. line between Nostrand Ave. and Brighton Beach el. station during non-rush hours.	Taken up with company, which made answer satisfactory to complainant.
4531, Whitestone Imp. Assn. N. Y. & Q. Co. Ry. Co.	General complaint of overcrowding on lines crossing Queensboro Bridge between 5:30 and 6:30 p. m.	Complainant informed of results of repeated inspections and additions to schedules. See dispositions of C-4435 and C-4458.
4532, Starke Union Ry. Co.	Alleged discrimination in transfer system on certain lines.	Taken up with company, which made answer satisfactory to complainant.
4533, De Lavante ... I. R. T. Co.	Alleged refusal of ticket agent at 138th St. station of 3d Ave. el. to receive a \$10 bill and make change.	Taken up with company, which explained that man in long line of people, claiming to be P. S. C. representative and tendering \$10 bill, refused to wait until others secured tickets in order that agent might have time to collect necessary change.
4534, Bd. of Aldermen I. R. T. Co.	Resolution requesting that both express tracks in subway be used for southbound traffic in morning and northbound traffic in afternoon rush hours.	Suggestion deemed impracticable but on failure of representative of Board of Aldermen to appear for conference, complaint was closed in default.
4535, Krieger B. H. RR. Co.	Bad rails in front of premises on Tompkins Ave.	Taken up with company, which admitted defect in westbound track and agreed to make repairs. Satisfied.
4536, Merrick I. R. T. Co.	Instance of premature closing of side door in subway.	Taken up with company, which made satisfactory explanation to complainant.
4537, Brown Met. St. Ry. Co.	Defective rails on 4th Ave. between 24th and 25th Sts.	Taken up with company, which agreed to and did renew worn out rails promptly. Satisfied.
4538, Gould I. R. T. Co.	Delays in overcrowding during morning rush hours on Broadway line above 96th St.	See disposition of C-4205.
4539, Boslet..... B. U. El. RR. Co.	Alleged unnecessary detention to pedestrians by gates at Covert Ave., Ridgewood line.	Explained to complainant gateman governed by strict system absolutely necessary for safety of pedestrians; exceptions to which investigation showed to be rare. Closed, ill founded.
4540, Bloss Met. St. Ry. Co.	Irregular headway around 9:30 a. m. on Madison Ave. line at 72d St.	Very close headway maintained on this line and bunching of cars due usually to obstructions in street. Acknowledged and closed.
4541, Fehr Yonkers RR. Co.	Uneven track about at City Line on Broadway line.	Taken up with company, which made prompt repairs to the satisfaction of complainant.

470 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4542, So. Midwood Residents Assn. .. B. H. RR. Co.	Inadequate service on Flatbush Ave. line between Atlantic Ave. and Vandever Park during rush hours.	See disposition of C-4188.
4543, Timewell I. R. T. Co.	Ten-minute delay to downtown service at 110th St., Lenox Ave. subway during morning rush hours.	Examination of records of company showed no delay of over 5 minutes on branch and date complained of. Deemed an isolated case and closed.
4544, Powers N. Y. & Q. Co. Ry. Co.	Locking of front doors of Calvary line, at 34th St. Ferry and enroute.	Taken up with company which agreed to see that front doors are opened at 34th St. Ferry. Satisfied.
4545, Wise I. R. T. Co.	Occasional failure of trains to stop at Mott Ave. station on Lenox Ave. subway.	Explained to complainant such operation is punished by suspension of the crew at fault when not specifically ordered because of emergency. Closed.
4546, Sanderson Fertilizer Co. L. I. RR. Co.	Alleged negligence of company when man was killed boarding moving train at Queens station.	Complainant informed accident was investigated, no evidence found of negligence maintained by company directly responsible for this accident. Closed.
4537, Newman I. R. T. Co.	Suggests use of side doors on 2d and 3d Ave. el. lines to shorten running time during rush hours.	Acknowledged and closed without further action.
4548, Blohm 3d Ave. RR. Co.	Turning back of cars marked "125th St. and 1st Ave." on 125th St. and Kingsbridge line at Third Ave.	City ordinances applying to the matter quoted to complainant. Closed.
4549, Shanahan I. R. T. Co.	Long headway during non-rush hours on 6th Ave. line. Suggesting long trains be divided into trains of fewer cars.	Complainant informed 4-minute headway during non-rush hours deemed reasonable. Division of trains would increase hazard of operation without adequate compensation to traffic. Closed.
4550, Finkenau S. I. Mid. RR. Co.	Failure of cars of Silver Lake line to wait for passengers from steam trains at Port Richmond.	Complaint closed on failure of company to locate crew at fault. Taken up vigorously on later complaints and orders by company to employees secured providing drastic discipline for instances of this kind.
4551, DeLavante So. Boul. RR. Co. N. Y. City Int. Ry. Co.	Refusal of conductor of car of Southern Boulevard R. R. Co. to accept transfer from car of N. Y. C. Int. Ry. Co. at 179th St. and Boston Road.	Separate operating companies not legally obliged to exchange transfers at 179th St. and Boston Road. So explained to complainant. Closed, ill founded.
4552, Bean 2d Ave. RR. Co.	Refusal of conductor on 2d Ave. car to accept transfer from 23d St. Crosstown line.	Explained to complainant transfers between the 2d Ave. line and cars operating on 23d St. only obligatory when car of 23d St. line is bound for 34th St. Ferry via 2d Ave. Referred to Section 102 of R. R. Law. Closed, ill founded.
4553, Allen I. R. T. Co.	Carrying of bundles of newspapers by 1:28 a. m. Third Ave. el. train from City Hall a nuisance to passengers.	See disposition of C-3588.
4554, Taxp. Imp. Assn. of Windsor Terrace C. I. & B. RR. Co.	Inadequate destination signs on cars of Smith St. line and Hamilton Fy. shuttle.	Investigation showed complaint justified. Taken up with company which installed better and illuminated signs on cars of both lines. Satisfied.
4555, Raynes S. I. R. T. Ry. Co.	Failure of conductor on 1:53 p. m. train from St. George to open empty cars for use of passengers.	Taken up with company, which made answer satisfactory to complainant.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 471

File No., name of complainant and company complained against.	Subject.	Disposition.
4556, Lebel Union Ry. Co.	Operation of cars on Webster Ave. not bearing name of railroad company operating them.	Investigated and found to be the fact. Explained to complainant that it was frequently necessary to use cars of one company on another company's lines, but when they are equipped with proper destination signs practice is not detrimental to interests of public. Closed, ill founded.
4557, Lebel Union Ry. Co.	Request waiting room at 177th St., West Farms.	Complainant informed no conditions existed at this point warranting the requisite expenditure for waiting room. Closed, ill founded.
4558, Mueller N. Y. & Q. Co. Ry. Co.	General complaint; chiefly of defective condition of brakes, etc.	Inspection showed traction and braking equipment of good type but requiring attention because of wear. Taken up with company. Satisfied.
4559, Goodell Co. Rich. Lt. & RR. Co. S. I. Mid. Ry. Co.	Failure of cars to wait for passengers from steam trains at Port Richmond.	See disposition of C-4550.
4560, Prosp. Hgts. Bd. of Trade C. I. & B. RR. Co.	Inadequate service, poor rolling stock and worn out condition of way on Franklin Ave. line.	Thorough inspection showed complaint in large measure justified. Company began making extensive repairs and securing extra equipment. Resolution of thanks from complainant. Satisfied.
4561, Hill B. U. El. RR. Co.	Rowdiness on rear platforms of Fulton Street el. trains.	Complaint in large measure justified. Explained to complainant trouble difficult to overcome without constant assistance of Police Department so long as stress of rush hour traffic is so intense. See disposition of C-4346.
4562, Driggs 5th Ave. Coach Co.	Failure of conductor of a coach halted at 95th St. to give continuing trip tickets, necessitating payment of additional fare.	Taken up with company which made satisfactory explanation to complainant and refunded the excess fare paid.
4563, Hennig N. E. RR. Co.	Irregular headway and inadequate service on 7th Ave. line during non-rush hours.	Investigation showed non-rush hour service generally regular and adequate. Closed, ill founded.
4564, Dept. of Health Third Ave. RR. Co.	Worn and uneven rail surface on Broadway.	Taken up with company, which was then in process of repairing rail surfaces on this line. Satisfied.
4565, Martin N. Y. Cen. & H. R. RR. Co.	Annoyance to residents along Riverside Drive due to noise of bells, etc., on Hudson River Division.	See disposition of C-4398.
4566, Krugler I. R. T. Co.	Instance of injury to person due to premature closing of side door.	Taken up with company, which made satisfactory disposition of matter with complainant.
4567, Thorpe <i>et al.</i> .. L. I. RR. Co.	Overcrowding on electric trains of Atlantic Division.	Taken up with company, which put an extra car on trains between Woodhaven and Jamaica during periods mentioned by complainant. Satisfied.
4568, Dept. of Health I. R. T. Co.	Lack of toilet facilities for women at 137th St. station of Broadway subway.	Complainant informed of plan for constructing such facilities in connection with the general extension of platforms. Satisfied. (Construction to be completed in 1911.)
4569, Dept. of Health I. R. T. Co.	Lack of toilet facilities at 42d St. station.	See disposition of C-4568. Toilet for women at Grand Central station included in plans for general lengthening of station platforms.
4570, Dept. of Health I. R. T. Co.	Lack of toilet facilities at Times Square station.	See disposition of C-4568 and C-4569.
4571, Wilmott B. H. RR. Co.	Flatbush Ave. car marked "Depot" turned back at Nosstrand Ave.	Taken up with company, which made satisfactory explanation to complainant.

472 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4572, Wilmott I. R. T. Co.	Slow operation of 6th Ave. trains since additions to service. Requesting operation of all Broadway locals in subway to Dyckman St.	Sixth Ave. el. service covered by formal proceedings in Case 1217. Complaint relative to Broadway subway service satisfied. See disposition of C-3964.
4573, Margulies B. U. El. RR. Co.	Inadequate station facilities at Atlantic Ave. station of 5th Ave. el.	See disposition of C-4347.
4574, Hamburg Met. St. Ry. Co.	Cars of 14th St. line in unclean condition.	Investigated and taken up with company. Condition due largely to class of patrons, many of whom carried picks and shovels. No further action at the time deemed advisable.
4575, Satterlee Met. St. Ry. Co.	Noise on 86th St. Crosstown line due to condition of rail near Park Ave.	Taken up with company, which made answer satisfactory to complainant.
4576, O'Regan L. I. RR. Co.	Dangerous crossings at Ocean Ave., Rosedale Ave. and Fosters Meadow Road, Montauk Division.	Investigated. By order in Case 1255, accepted by company, gates were required at these crossings and 8 others to be installed early in 1911. Satisfied.
4577, Jackson I. R. T. Co.	Inadequate service in subway during non-rush hours.	Investigation showed complaint in large measure justified. See disposition of C-4156.
4578, Morris I. R. T. Co.	Inadequate service and irregular headway above 96th St. in Broadway subway.	See disposition of C-3964.
4579, Klingenstein .. Met. St. Ry. Co.	Lack of ventilation in cars of 4th and Madison Ave. line.	Taken up with company, which made satisfactory answer to complainant.
4580, Saward N. Y. Cen. & H. R. RR. Co.	Inconvenient location of train directions for Harlem Division at Lexington Ave. terminal.	Taken up with company, which relocated time tables, etc. Satisfied.
4581, VanTwisk N. E. RR. Co.	Refusal to accept transfer from 39th St.-Coney Island line for West End el. at 36th St.	Complainant informed company acted within its legal right. No jurisdiction by Commission.
4582, Dungan I. R. T. Co.	Inadequate service in subway during non-rush hours.	See disposition of C-4156.
4583, Ridgewood Bd. of Trade. B. R. T. Co.	Advocating use of P-A-Y-E cars in Brooklyn.	Complainant informed that Commission can take action only in approving or disapproving types submitted by companies, but that it had approved their use in Manhattan. Closed without further action.
4584, Chester Dist. Alliance, of Westchester. Union Ry. Co. N. Y. C. Int. Ry. Co.	Refusal to exchange transfers at Westchester and Tremont Aves., West Farms and other Bronx points.	Explained to complainant companies acting within their legal rights and no action proper by the P. S. C.
4585, Milligan B. H. RR. Co.	Instance of failure of conductor to have proper supply of transfers.	Taken up with company which made answer satisfactory to complainant.
4586, Thompson Met. St. Ry. Co.	Dangerous and unused horse car tracks on Washington Square, East.	Complainant informed matter of abandoned track removal before Attorney-General, according to whose decision action will be taken by proper authorities. Closed without further action.
4587, Little B. U. El. RR. Co.	Overcrowded 2-car trains at night on Brighton Beach line.	Investigation showed that with rare exceptions street car trains were operated until about 11:30 p. m., and general service was ample. Closed as ill founded.
4588, McDermott I. R. T. Co.	Turning back of subway train bound for Brooklyn at Bowling Green.	Taken up with company, which made explanation satisfactory to complainant.

File No., name of complainant and company complained against.	Subject.	Disposition.
4589, Bernstein I. R. T. Co.	Instances of carelessness of guards in subway.	Taken up with company, whose investigation disclosed no evidence against particular employees. On failure of complainant to press complaint matter was closed without further action.
4590, Krieg B. H. RR. Co.	Overcrowding on Williamsburg Bridge locals between 5:30 and 7:30 p. m. Suggesting operation of local elevated trains on Williamsburg Bridge.	Investigation showed bridge local loop carrying nearly its limit. Suggestion of local elevated train impracticable. Closed, ill founded.
4591, Clark B. H. RR. Co.	Poor condition of car tracks on Thompson Ave. near Macon St.	Taken up with company, which agreed to repair tracks at this point. Satisfied.
4592, Lewin I. R. T. Co.	Long headways on 2d Ave. el. line at Prospect Ave. station during morning rush hours.	Covered by formal proceedings in Case 1217.
4593, Woman's Municipal League—Greenwich Branch. I. R. T. Co.	Lack of proper protection by railings at 14th St. subway station.	Complainant informed of plans prepared to meet conditions at this station. Satisfied. Railings in place on northbound platform and certain points on southbound platform.
4594, McLean <i>et al.</i> .. L. I. RR. Co.	Inadequate service on Atlantic Division between Flatbush Ave. and Queens, particularly Saturday afternoons.	Thoroughly investigated and taken up with company, with result that trains were lengthened from 1 to 2 cars each, and 3 additional Saturday trains added to schedule. Satisfied.
4595, Wever B. H. RR. Co.	Turning back of 16th Ave. car at Atlantic Ave.	Taken up with company, which made satisfactory answer to complainant.
4596, Feltman B. U. El. RR. Co.	Dangerous crossing of Brighton Beach line at Ocean Parkway.	Thoroughly investigated and taken up with company, which adopted suggestion to slow down trains, and sound whistle before making crossing when flagmen were not on duty. Satisfied.
4597, Pleines 42d St. M. & St. N. Ave. Ry. Co.	Interruption of service on Broadway 10th Ave. line and turning back of car at 10th Ave. and 42d St. after midnight.	Investigation showed headways generally maintained but some interruptions of service due to track repairing at night. Closed, ill founded.
4598, Bd. of Aldermen Met. St. Ry. Co.	Resolution requesting better service on 8th Ave. line below 13th St.	See disposition of C-4506.
4599, Bd. of Aldermen Union Ry. Co.	Lack of service between 1:30 and 6 a. m. on line from W. 230th St. and City Line.	Investigation showed service between 230th and 242d St. discontinued because of lack of traffic and maintained by Yonkers R. R. Co. between 242d St. and City Line. Complainant so informed. Closed.
4600, West End Assn. 5th Ave. Coach Co.	Protest against existing type of stage.	On failure of complainant to produce evidence against type of stage in use complaint was closed in default.
4601, Rep. Assn. 22d Assen. Dist. B. U. El. RR. Co.	Lack of public toilet facilities at stations. Requesting them at important stations and transfer points.	On failure of complainant to submit formal complaint as suggested matter was closed in default.
4602, Fair I. R. T. Co.	Instance of accident to person at 14th St. in subway due to space between car and platform.	Complainant informed effort being made to overcome condition but no satisfactory mechanical device yet evolved. Closed.
4603, Churchill & Marlow I. R. T. Co.	Instance of injury to client, foot caught between platform bumpers.	See disposition of C-4529.

474 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4604, Weeks I. R. T. Co.	Instance of injury due to premature operation of center side doors in subway.	Complainant informed of new safety devices installed on side doors to prevent injury to persons caught by them. Satisfied.
4605, Whitfield N. E. RR. Co.	Inadequate service on St. John's Place line bet. 10 p. m. and midnight.	See disposition of C-4199.
4606, Bd. of Ald..... Union Ry. Co.	Resolution requesting some method of saving time in collection of fares on P-A-Y-E cars.	Taken up with company, which objected to use of cashier booths as solution to problem. In view of attitude of company no further action deemed advisable at the time.
4607, Bd. of Ald..... Met. St. Ry. Co.	Resolution requesting that open cars be operated along Central Park West during summer months.	Taken up with company, which produced schedule calling for operation of 100 open cars on this line. Satisfied.
4608, Cahn B. H. RR. Co.	Inadequate service on Richmond Hill line during morning rush hours.	Taken up with company, which made satisfactory answer to complainant.
4609, Thummel I. R. T. Co.	Inadequate terminal facilities at Atlantic Ave. subway station.	Investigated. Taken up with company. Complainant informed of proposed increase in facilities when platforms are lengthened. Satisfied. (Work to be finished early in 1911.)
4610, Phillips N. E. RR. Co.	Suggest open cars be operated on Church Ave. line to increase seating capacity during rush hours.	Investigation showed complaint well founded. Matter taken up with company, which agreed to have regular summer schedule of open cars in operation within a month. No further action taken, pending fulfillment of company's agreement.
4611, Dr. Ryniker .. 2d Ave. RR. Co.	Dangerous car step on car of 2d Ave. line.	Taken up with company, which promptly repaired step. Satisfied.
4612, Kaskel Met. St. Ry. Co.	Noise due to brake shoes on cars of 8th Ave. line at 72d St.	Complainant informed that noises due to air brake application were universal and no device had been evolved which would eliminate them. Closed.
4613, Gray I. R. T. Co.	Protest against making 135th St. a northern short-line terminal for 9th Ave. el. service.	Investigation showed service above 135th St. comparatively adequate; no warrant for Commission to take action. Complainant so informed.
4614, Holdcroft C. I. & B. RR. Co.	Condition of tracks at DeKalb Ave. and Navy St. dangerous.	Investigation showed slight defects. Company held it duty of city to direct repairs, not Commission. Complainant so informed. Closed.
4615, Belvin I. R. T. Co.	Suggest running of empty subway trains south to 14th St. in morning and north to 168th St. in afternoon to provide better service for transfer passengers from locals.	Complainant informed that suggestion would be impracticable. Closed, ill founded.
4616, Simpson I. R. T. Co.	Request more through service to Van Cortlandt Park on Broadway branch of subway.	Investigation showed service at north end of Broadway branch of subway adequate. Closed, ill founded.
4617, Harper N. Y. C. & H. R. RR. Co.	Noisy operation along Riverside Drive on Hudson Division. Specific instances.	Matter taken up with company and employees at fault suspended. See disposition of C-4398.
4618, Gallagher I. R. T. Co.	Inadequate service to Brooklyn between midnight and 2 a. m.	Investigation showed complaint well founded, but closed without further action as periodic inspections showed falling off in traffic during period given due to closing of theatres during summer months.
4619, Connelly B. R. T. Co. (B. U. El. RR. Co.) (N. E. RR. Co.)	Request exchange of transfers between 15th St. surface line and 5th Ave el. line.	Complainant informed Commission had no jurisdiction in matter by terms of paragraph 8, section 49 of the revised P. S. C. Law.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 475

File No., name of complainant and company complained against.	Subject.	Disposition.
4620, 20th Century Club	Unclean and unsanitary condition of cars of Richmond Hill line.	Taken up with company, which took action satisfactory to complainant.
B. H. RR. Co.		
4621, Mendel	Frequent blockades on Metropolitan Cross-town line.	Investigation showed delays very frequent but service in general good, considering traffic conditions in streets traversed. Closed, ill founded.
Met. St. Ry. Co.		See disposition of C-4604.
4622, Hamilton	Instance of passenger caught by premature closing of side door in subway.	
I. R. T. Co.		
4624, Potter	Alleged P-A-Y-E cars assist pickpockets because of bunching passengers while conductor collects fares.	Acknowledged. Closed as ill founded.
Met. St. Ry. Co.		
4625, Ketchel	Failure of trains from Pleasant Place to make connection with Ferry boats at St. George.	Investigated and taken up with company, but closed without further action. Inability to secure enough evidence to justify an order on company.
S. I. Ry. Co.		
4626, Porter	Failure to hold 4th Ave. car for would-be passengers at Grand St. and Bowery.	Taken up with company and conductor disciplined for giving "go ahead" signal while passengers were boarding. Satisfied.
Met. St. Ry. Co.		
4627, Hamlin	Alleged free passage permitted messenger boys by subway and el. ticket agents.	Investigation showed proper contract made covering transportation of messengers of certain companies. Complainant being so informed admitted error. Closed, ill founded.
I. R. T. Co.		
4628, Parsons	Alleged dangerous practice of guards in cars in middle of subway trains starting "go ahead" signal after doors equipped with self-starting device are closed.	Investigation showed that the practice referred to was a regular one to make sure motormen got signal; signals not passed before doors are closed. Closed.
I. R. T. Co.		
4629, Banzett <i>et al.</i> ...	Petition requesting removal of Ramblersville station to north side of Hawtree Creek.	Investigated and covered by formal proceedings in Case 1230; decision not reached Jan. 1, 1911.
L. I. RR. Co.		
4630, Anderson	Instance of overloaded 3-car train of Lexington Ave. line leaving Park Row before 7:30 p. m.	Taken up with company which made satisfactory answer to complainant.
B. U. El. RR. Co.		
4631, Sedgwick Club.	Request through operation across Harlem River Bridge at 184th St.	Investigation showed no tracks laid and separate operating companies either side of bridge. Franchise granted Union Ry. Co. to operate across bridge (see Case 1244), but no further action taken by Jan. 1, 1911.
Union Ry. Co.		
N. Y. C. Int. Ry. Co.		
4632, Schall	Delays to service on 42d St. M. & St. N. Ave. Ry. Co.	Investigation showed close headway till midnight and reasonable service thereafter, but some delays due to track repair operation. Closed, ill founded.
42d St. M. & St. N. Ave. Ry. Co.		
4633, Martin	Dangerous condition of treads at Duffield St. station, downtown side.	Taken up with company and treads renewed as noted by complainant. Satisfied.
B. U. El. RR. Co.		
4634, Prop. O. Assn.	Inadequate station facilities at Port Morris and Cassanover on Harlem River branch.	Investigation showed fully equipped modern station at Port Morris and little demand for same at Cassanover. On failure of complainant to produce proper evidence regarding Cassanover as requested matter was closed in default.
N. Y. N. H. & H. RR. Co.		
4635, Pierce	Alleged slow operation of trains between 125th St. and 110th St. on 6th Ave. line.	Investigation showed trains being operated to capacity of tracks and delays only due to safety speed at 110th St. double curve. Closed, ill founded.
I. R. T. Co.		

476 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4636, Wickert Met. St. Ry. Co.	Instance of turning back of car of 6th Ave. line at 50th St. marked for South Ferry.	Taken up with company, which made answer satisfactory to complainant.
4637, Shannon I. R. T. Co.	Too rapid operation around 53d St. curve, 6th Ave. el.	See disposition of C-3932, covering curve at 2d Ave. and 23d St., 2d Ave. el.
4638, Merring N. Y. & Q. Co. Ry. Co.	Lack of service on Ravenswood line between 1:30 and 5:30 a. m.	Investigation showed insufficient traffic during the period cited to warrant service. Closed, ill founded.
4639, Hendricks I. R. T. Co.	Inadequate service on 6th Ave. el. at 33d St. during non-rush hours.	Investigated and covered by formal proceedings in Case 1217.
4640, Sievers B. H. RR. Co.	Instances of flat wheels on Putnam & Halsey line.	Taken up with company, which replaced flat wheels in instances referred to. Satisfied.
4641, Stiles <i>et al.</i> Third Ave. RR. Co.	Request service on 225th St.-Kingsbridge line north of 162d St. between 1:30 and 5 a. m.	Taken up with company, which installed shuttle service on half-hour headway during period cited. Satisfied.
4642, Chadwick I. R. T. Co.	Inadequate and irregular train service above 96th St. on Broadway branch of subway.	See disposition of C-3964.
4643, East 23d St. Assn. I. R. T. Co.	Request additional stairway at northwest corner of 23d St. Third Ave. el.	See disposition of C-3891.
4644, Blumlein I. R. T. Co.	Inadequate service on Broadway branch of subway above 96th Street during rush hours.	See disposition of C-3964.
4645, Tanenbaum ... Met. St. Ry. Co.	Dangerous condition of pavement adjacent to rails at Columbus Ave. and 73d St.	Taken up with company, which made repairs. Satisfied.
4646, East Tremont Taxp. Assn. I. R. T. Co.	Inadequate station facilities at 149th St. 3d Ave. el.	See disposition of C-4097.
4647, 28th Wd. Taxp. Protective Assn.... B. H. RR. Co.	Request transfers between Myrtle Ave., Gates Ave. and Halsey St. lines and Central and Hamburg Ave. lines.	No action taken previous to passage of revised P. S. C. Law. Later transfers established under Case 1275.
4648, Borough Pres. of Queens So. Side Civic Leag. N. Y. & L. I. Tr. Co. L. I. Elec. Ry. Co.	General poor service, etc. on south side.	See dispositions of C-3346, C-4222, C-4351 and C-4471.
4649, LeFevre Met. St. Ry. Co.	Flat wheeled car on 145th St. Crosstown line.	Taken up with company, which replaced wheels on car in question. Satisfied.
4650, McNamara I. R. T. Co.	Request side seats opposite side doors, being used in subway trains, be lowered.	Explained to complainant danger resulting will be disproportionate to benefits in service. Closed, ill founded.
4651, Weisman I. R. T. Co.	Failure to open gates of subway trains at Borough Hall station.	Taken up with company, which made detailed explanation to complainant. Closed.
4652, White N. Y. C. Int. Ry. Co.	Request waiting room during summer time at 181st St. and Ogden Ave.	Waiting room not believed necessary during summer months. Closed.
4653, Muller N. Y. & Q. Co. Ry. Co.	Poor service on College Point line due to unnecessarily protracted shuttle service between Flushing and College Point.	Investigation showed complaint justified. Taken up with company, which promptly restored double track operation.
4654, Bier I. R. T. Co.	Presence of beggars, cripples, etc. at 116th St. station, Lenox Ave. subway, results in obstructions to ingress and egress.	Taken up with company and Police Department. Conditions improved temporarily, but in nature of case trouble recurrent and left in hands of company and Police Department.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 477

File No., name of complainant and company complained against.	Subject.	Disposition.
4655, MacCrate <i>et al.</i> B. H. RR. Co.	Petition requesting removal of worn out switch on Manhattan Ave. near Greenpoint Ave.	Taken up with company, which after considerable correspondence, installed new special work. Satisfied.
4656, Daly L. I. RR. Co.	L. I. Express Co. team entrance to Atlantic Ave. station, Hanson Place side, not kept clean.	Taken up with company, which arranged to keep place clean. Satisfied.
4657, Joseph Loewi.. Met. St. Ry. Co.	Torn up pavement on Madison Ave. between 72d and 78th Sts.	Explained to complainant Commission not authorized to compel repairs to pavement, but only maintenance of right of way and service. Closed as outside of jurisdiction.
4658, Saulnier B. U. El. RR. Co.	Illegible station signs.	Investigated and taken up with company, which replaced many wooden signs with new enamel signs.
4659, University Heights Assn ... N. Y. C. Int. Ry. Co.	Flat wheels on cars of Ageduct Ave. line.	Taken up with company, which took cars out of service and repaired wheels. Satisfied.
4660, Rothschild Met. St. Ry. Co.	Noise due to brake shoes on cars of 8th Ave. line at 72d St.	See disposition of C-4612.
4661, Lehman N. E. RR. Co.	Long headway to Canarsie on Hamburg Ave. line.	Taken up with company, which made satisfactory answer to complainant.
4662, Taussig I. R. T. Co.	Inadequate protection for passengers passing from car to car in subway.	See disposition of C-4603.
4663, Edelsten I. R. T. Co.	Turning back of subway train marked "Brooklyn" at Bowling Green.	Taken up with company, which made explanation to complainant. Closed.
4664, Danzig N. Y. C. & H. R. RR. Co.	Protest against practice of company in compelling local passengers to produce tickets for 6:08 p. m. train, Harlem division, Grand Central gate.	Taken up with company, which made detailed satisfactory explanation to complainant.
4665, Bd. of Ald.... I. R. T. Co.	Resolution requesting that cars be equipped with electric storage batteries to afford light in case of power troubles.	Satisfied by order in Case 1177, accepted by company, requiring storage battery equipment in all new cars purchased.
4666, Rosenwasser .. B. U. El. RR. Co.	Failure of local train of Fulton Street line to stop at Saratoga Ave. station.	Taken up with company, which made satisfactory answer to complainant.
4667, Tucker <i>et al.</i> S. I. Ry. Co.	Unclean condition of train leaving Tottenhamville at 7:30 a. m.	Taken up with company, which arranged to properly clean train. Satisfied.
4668, Robertson N. E. RR. Co.	Alleged instance of non-employee operating gates and trap door to exclude passenger, West End line.	Taken up with company, which explained complainant wished to board train after starting signal had been passed and gate was operated by conductor. Closed.
4669, Peckham N. E. RR. Co.	Operation of only open cars on West End line during cold and inclement weather.	Investigation showed that company had to keep large number of cars out of service during process of conversion; at least one closed car operated on every train. Closed.
4670, Perrigo Met. St. Ry. Co.	Noisy operation on 8th Ave. line.	Taken up with company, which made satisfactory answer to complainant.
4671, Royals B. H. RR. Co.	Annoyance due to change in method of transfer distribution at Bay Ridge Ave. and Fifth Avenue.	Taken up with company, which restored in large measure former method at point cited. Satisfied.
4672, Whitestone Imp. Assn. L. I. RR. Co.	Resolution protesting against an alleged proposed increase in commutation rates on North Shore Division.	Acknowledged and closed, pending development of cause.

478 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4673, Pictorial Rev. I. R. T. Co.	Alleged discrimination by Ward & Gow, in contract with I. R. T. Co. refusing to sell magazine without payment of \$15 fee for service.	After formal consideration in Case 1216, it was decided that this Commission had no jurisdiction.
4674, Costigan I. R. T. Co.	Inconvenience and delay due to non-use of certain passageway under tracks. Atlantic Avenue station of subway.	Taken up with company. Traffic demand not sufficient to require opening of passageway. Closed, ill founded.
4675, Brouner Met. St. Ry. Co. <i>et al.</i>	General complaint of noisy street cars all over city. Suggests greasing of car wheels.	Acknowledged and closed.
4676, Marshall I. R. T. Co.	Inadequate stairway facilities at downtown Desbrosses St. station, 9th Ave. el.	Investigation showed insufficient congestion to warrant construction of additional stairway. Closed, ill founded.
4677, Richardson ... Met. St. Ry. Co.	Difficulty in securing information about and return of lost property.	Investigation showed location of Lost Property Department advertised occasionally on the back of transfers. No further action deemed necessary.
4678, Forest Park Taxpayers Assn. .. B. U. El. RR. Co.	Inadequate station facilities, etc. at Cypress Hills Terminal, Lexington Ave. line.	Complainant informed of plans for reconstructing this terminal at informal conference. Satisfied.
4679, Chilton Paint Co. N. Y. & Q. Co. Ry. Co.	Poor service on College Point line due to unnecessary continuance of single track shuttle service between Flushing and College Point.	See disposition of C-4653.
4680, Bd. of Aldermen B. U. El. RR. Co.	Resolution requesting erection of new station at Cumberland Street, Myrtle Ave. el.	Investigated. Insufficient traffic demand, grade difficulties and other objections. Closed, ill founded.
4681, Civic Club of Borough of Bronx. I. R. T. Co.	Inadequate station facilities at 174th St., Wendover Ave., 169th St. and 149th St. stations, 3d Ave. el.	For action at 149th St. see disposition of C-4097. Facilities at other stations adequate, pending 3d-tracking of line. Complainant so informed. Satisfied.
4682, Corell N. E. RR. Co.	Delays and blockades to Church Ave. line at 39th St. and 2d Ave.	Taken up with company, which made satisfactory answer to complainant.
4683, Whitworth I. R. T. Co.	Refusal of ticket agent at 14th St. station of 9th Ave. el. to change \$10 bill in payment for fare.	Taken up with company, which disciplined agent at fault. Satisfied.
4684, Gahren Met. St. Ry. Co.	Noisy brakes, etc. on cars operating along Central Park West near 94th St.	See disposition of C-4612.
4685, Newton J. E. Weier L. I. RR. Co.	Protest against use of old ferry boats and unsanitary condition of cars on North Shore Division.	Investigation showed that with the exception of several loose windows on two ferry boats, conditions were reasonably satisfactory. Matter was generally taken up with company. Closed.
4686, Commonwealth Ind. Social Club... Union Ry. Co. N. Y. City Int. Ry. Co.	Request shelter station at Boston Road and Tremont Ave.	Investigation showed no unusual necessity for waiting room. Only available location would be on city land. Complainant so informed. Closed.
4687, 26th Ward..... B. U. El. RR. Co.	Inadequate service on Lexington Ave. line at Crescent Street. Suggest trains be run empty to Crescent St., westbound, in the morning.	Suggestions impracticable. Closed, ill founded.

File No., name of complainant and company complained against.	Subject.	Disposition.
4688, Bigelow I. R. T. Co.	Exit gate at south end of Fulton St. station, subway, closed too early.	Investigation showed use of this exit would interfere with heavy ingress movement during rush hours. Complainant informed of new stairway to be built. Closed.
4689, Beach I. R. T. Co.	Failure of guards on Brooklyn trains in subway to intelligibly announce stations.	Taken up with company. Directed train crews to be more careful. Satisfied.
4690, Hartman I. R. T. Co.	Alleged refusal of agent at Fulton St. subway station to accept \$5 gold piece in payment of fare.	Taken up with company, which made denial. No further action deemed necessary in view of conflicting statements as to fact.
4691, Holmes I. R. T. Co.	Poor service, and delays to Broadway subway service above 96th St., during morning rush hours.	See disposition of C-4205.
4692, Ezekiel N. Y. N. H. & H. RR. Co.	Protest against increase in commutation rates.	No jurisdiction by P. S. C. Complainant referred to Interstate Commerce Com.
4693, Ezequelle N. Y. N. H. & H. RR. Co.	Protest against increase in commutation rates.	See disposition of C-4692.
4694, Nagle I. R. T. Co.	Protest against installation of "L" pillar on sidewalk, northwest corner of 53d St. and 9th Ave.	Complainant referred to Bureau of Highways. See also disposition of C-4503.
4695, Mayo I. R. T. Co.	Overcrowding between 5 and 7 p. m. in the subway. Request railings at various stations.	Complainant informed of railings at 14th St. and Grand Central station and that matter is being given continued consideration. Closed.
4696, Woodlawn Hgts. Taxp. Assn. Union Ry. Co.	Slow operation on Webster Ave. line from Bedford Park to City Line.	On failure of complainant to specify time of day as requested, complaint was closed in default.
4697, Robertson N. E. RR. Co.	Dangerous conditions due to proximity of tracks to moving picture show on Utrecht Ave. in vicinity of 39th St.	Investigation showed no unusually dangerous conditions. Manager about to instal additional safety provision. Closed, ill founded.
4698, Eagleton N. E. RR. Co.	Dirty condition of Ralph Ave. car; brakes out of repair.	Taken up with company, which made satisfactory answer to complainant.
4699 Ehmsen <i>et al.</i> B. U. El. RR. Co. C. I. & B. RR. Co.	Crossing at Covert Ave. and Palmetto St. in poor condition and dangerous to vehicles.	Taken up with company, which repaired crossing. Satisfied.
4700, Richardson ... I. R. T. Co.	Allegation that local service on 6th Ave. el. system was being sacrificed to 9th Ave. express service.	Examination of train sheets did not bear out statement of complainant. Closed, ill founded.
4701, Amster <i>et al.</i> ... N. Y. C. Int. Ry. Co. Union Ry. Co.	Request transfer exchange at Tremont Ave. and Boston Road.	Complainant informed companies not legally obliged to exchanged transfers; no action by the Commission legal (at the time). Closed.
4702, Tanenbaum ... I. R. T. Co.	Inadequate manning of station platform on subway and elevated lines.	Investigation showed station platforms most congested adequately manned. Closed, ill founded.
4703, Elcock B. U. El. RR. Co.	Cutting off of cars at Kings Highway, Brighton Beach line.	Taken up with company. Trainman in charge had been reprimanded; despatcher on duty at time left service of company. Satisfied.
4704, Met. Ave. Bd. of Trade B. Q. Co. & Sub. RR. Co. B. U. El. RR. Co.	Request exchange of transfers between Myrtle Ave. el. line and Met. Ave. line.	Paragraph 8, Section 49, of the revised P. S. C. Law, which denies Commission power to compel transfers between a rapid transit line and a street surface line, explained to complainant at conference. Closed.
4705, Bent B. Q. Co. & Sub. RR. Co.	Inadequate and irregular service on Reid Ave line.	Investigated. Company installed new track work to permit through service and made additions to schedule. Satisfied.

480 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4706, Van Nest, Prop. O. Assn. I. R. T. Co.	Request earlier through train from Freeman St. via 2d Ave. el. than 6:20 a. m., and operation of escalator at 177th St. earlier than 7 a. m.	Investigation showed no traffic demand for earlier train; but escalator should be run earlier. Taken up with company, which agreed to run elevator from 6:30 a. m. Satisfied.
4707, Anthony I. R. T. Co.	Request operation of subway expresses earlier in the morning to accommodate laborers.	Investigation showed early morning service adequate; operation of expresses unwarranted. Closed. Ill founded.
4708, Dept. of Health Met. St. Ry. Co.	Noise of cars on 8th Avenue.	Complainant informed repairs being made to track. See also disposition of C-4612.
4709, Neemes B. U. El. RR. Co.	Lack of toilet facilities at Myrtle Ave el. station.	On failure of complainant to specify particular stations at which toilets were needed, complaint was closed in default.
4710, Seymour N. E. RR. Co.	Inconvenience of high running boards on open cars.	Explained to complainant that height of running board was a mechanical necessity on open cars. Closed.
4711, Grand St. Bd. of Trade B. R. T. Co.	Unnecessary use of switch on one side of Williamsburg Bridge Plaza.	Taken up with company. Order given to discontinue use of switch during summer; promised to construct a new switch. Satisfied.
4712, Posthauer N. Y. & Q. Co. Ry. Co.	Poor service on College Point line due to unnecessary prolongation of single track shuttle service between College Point and Flushing.	See disposition of C-4653.
4713, College Pt. Committee N. Y. & Q. Co. Ry. Co.	Lack of through service on College Point line.	See disposition of C-4653.
4714, Kunz 42d St. M. & St. N. Ave. Ry. Co.	Noisy operation of cars on Broadway.	Complainant informed of progress of repair work between 91st and 110th Sts. Closed.
4716, McArdle C. I. & B. RR. Co.	Disconnected rail joints on Wythe Ave.	Taken up with company, which rebuilt track. Satisfied.
4717, Meyer N. Y. & Q. Co. Ry. Co.	Request discontinuance of shuttle service between College Point and Flushing.	See disposition of C-4653.
4718, Buckley L. I. RR. Co.	Lack of through service on Rockaway Division. Protest against necessity of changing at Ozone Park. Uncovered platform at Rockaway Park.	Investigation showed sufficient through service for the time of year. Large waiting room at Rockaway Park. Closed. Ill founded.
4719, Pruschen N. Y. & Q. Co. Ry. Co.	Inadequate service between L. I. City and Calvary and Lutheran cemeteries, Sundays.	Investigation showed irregular traffic demand on Sundays. Complainant informed, company adding to car equipment to provide additional service. Closed.
4720, Potter I. R. T. Co.	Lax practice of guards in opening side doors of subway train. Inefficient platform man at 14th St. station.	Taken up with company, which made satisfactory answer to complainant.
4721, Cohen I. R. T. Co.	Request installation of telephone booths with slot machines in subway.	Complainant informed that Commission had no legal authority to order booths installed; such a move inadvisable because of waste of platform space. Closed.
4722, Woodward Union Ry. Co.	Inadequate service on Fordham and Fordham H'ghts lines between 2:30 and 3 p. m. and between 5:30 and 6:30 p. m.	Investigated. Irregularities of service, due in large measure to street paving work, on completion inspection showed service adequate. Satisfied.
4723, Chandler Met. St. Ry. Co.	Turning back of car of B'way-Lenox Ave. line at 110th St. and Columbus Ave.	Taken up with company, which made satisfactory answer to complainant.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 481

File No., name of complainant and company complained against.	Subject.	Disposition.
4724, Richman B. U. El. RR. Co.	Brighton Beach line— Request every other express be stopped at Kings Highway.	Investigation showed a small proportion of traffic would be benefited but vast majority of passengers were through passengers from New York. Service to Kings Highway improved. Complainant so informed. Closed.
4725, Delaney N. Y. & Q. Co. Ry. Co.	Inadequate service on Corona line about 7 a. m.	Taken up with company, which made satisfactory answer to complainant.
4726, Wilsey I. R. T. Co.	Instances of train on Broadway branch of subway skipping 231st St. station.	Taken up with company, which made satisfactory answer to complainant.
4727, Baxter I. R. T. Co.	Long headway in sub- way Sunday afternoon at Mott Ave. station. Dangerous crowding.	Investigation showed delay due to power trouble. Complainant informed of this and of method of handling blocks in subway. Closed.
4728, Burns I. R. T. Co.	Inadequate service on Broadway branch of subway.	See disposition of C-3964 and C-4156.
4729, Malone B. U. El. RR. Co.	Holding up of City Line train, Fulton St. el., just outside of terminal.	Taken up with company, which explained train was but one minute late in reaching terminal due to necessary drilling movements. Closed.
4730, Berk B. U. El. RR. Co.	Smoking at Park Row terminal and on plat- forms of trains. Men smoke on more than the "5 rear seats."	Complainant informed Park Row terminal under jurisdiction of Bridge Department. Closed.
4731, Ritchey 5th Ave. Coach Co.	Request handles on top of 5th Ave. busses, and push buttons.	Taken up with company, which made satisfactory answer to complainant.
4732, Whitney Met. St. Ry. Co.	Delay on P-A-Y-E cars for conductors to make change. Sug- gest sale of tickets.	See disposition of C-4606.
4733, Eppelsheimer.. N. Y. & Q. Co. Ry. Co.	Inadequate service on Corona and Flushing lines around 2:10 a. m.; overcrowding.	Repeated inspections made and new time table calling for additional service adopted by company. No further action deemed advisable pending results of future inspection.
4734, Peacock I. R. T. Co.	Instances of long head- way on Broadway branch of subway at 181st St. station.	Taken up with company. Improve- ment in headway subsequently noted by complainant. Satisfied.
4735, Rep. Club, 23d Assembly Dist. ... I. R. T. Co.	Operation of side doors in subway apparently dangerous.	Complainant informed of new auto- matic device to prevent injury from side door accidents. Satisfied.
4736, Gross B. U. El. RR. Co. ..	Failure of southbound trains Brighton Beach line to stop at Frank- lin Ave. station at various times be- tween 7 and 8:30 a. m.	Taken up with company, which made satisfactory answer to complainant.
4737, Business Men's Assn. L. I. RR. Co.	Annoyance due to noise of freight train pass- ing through Flushing 4 a. m.	Taken up with company, which made satisfactory answer to complainant.
4738, Holtzendorf .. Met. St. Ry. Co.	Invalidity of transfers when offered by pas- sengers boarding at a point apart from the intersection of the two lines involved.	Explained to complainant require- ment that transfer be made at in- tersection of two lines involved was reasonable. Closed. Ill founded.
4739, Taxp. Imp. Assn. of Windsor Terrace So. Bk. Ry. Co.	Refusal of cars of Vanderbilt Ave. line to make stops on Gravesend Ave., be- tween 10th and 16th Aves.	Taken up with company, which ar- ranged to make additional stops Satisfied.
4740, Connelly B. H. RR. Co.	Lack of through service to Cypress Hills on Fulton St. line; ir- regular headways.	Investigation showed irregular head- ways. Taken up with company for improvement. Closed.

482 PUBLIC SERVICE COMMISSION—FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4741, Woods So. Bk. Ry. Co.	Refusal of cars of Vanderbilt Ave. line to make stops on Gravesend Ave. between 10th and 16th Aves.	See disposition of C-4739.
4742, Summerfield <i>et al.</i> L. I. RR. Co.	Resolution requesting that agent be placed at Gaston Ave. station to sell tickets.	Investigated. Satisfied by order in formal Case 1250 requiring company to keep ticket agent at station during summer months.
4743, Selden C. I. & B. RR. Co.	Lowering of side bars on open cars at a point too far from entrance of Williamsburg Bridge.	Taken up with company which explained that this operation was necessary because of condition about the plaza. Closed.
4744, Rafferty B. R. T. Co.	Alleged delays to shuttle service in subway between South Ferry and Bowling Green and vice versa.	Taken up with company, which made satisfactory answer to complainant.
4745, Erickson N. E. RR. Co.	Operation of open cars on Union St. and Vanderbilt Ave. line during inclement and cold weather.	Taken up with company which explained condition of available equipment during change over from closed to open cars. Closed.
4746, Connors So. Bk. Ry. Co.	Refusal of cars of Vanderbilt Ave. line <i>et al.</i> to make stops on Gravesend Ave. between 10th and 16th Aves.	See disposition of C-4739.
4747, Haviland B. U. El. RR. Co.	Noise of trains on Lexington Ave. el.	See disposition of C-3357. Company agreed to give curve at Grand and Lexington Aves. special attention and regular greasing.
4748, Curtis Met. St. Ry. Co.	Annoyance due to storage of cars on 145th St. between Lenox and 7th Aves.	Taken up with company and cessation of practice noted by complainant. Satisfied.
4749, Salmore B. U. El. RR. Co.	Failure of Brighton Beach train to take on passengers at Park Row and cutting out of service of succeeding train at Kings Highway.	Company denied failure to take on passengers at Park Row. Observation showed that no such practice existed. Closed.
4750, VanValkenburgh Union Ry. Co.	Failure to operate open cars on Westchester Ave. line.	Taken up with company, which made answer satisfactory to complainant.
4751, Monahan B. U. El. RR. Co.	Request opening of Livonia Ave. station.	See disposition of C-4488.
4752, Mayer Met. St. Ry. Co.	Noise of brake shoes on Madison Ave. cars.	Investigation showed noise in part due to wheels not having become adjusted to recently laid tracks. See also disposition of C-4612.
4753, Woman's Home Companion B. U. El. RR. Co. (Inter City Car Adv. Co.)	Discrimination of advertising company in refusing to sell certain publications from news stands.	See disposition of C-4672.
4754, Kensington & Parkville Imp. League So. Bk. Ry. Co.	Refusal of cars of Vanderbilt line <i>et al.</i> to make stops on Gravesend Ave. between 10th and 16th avenues.	See disposition of C-4739.
4755, Valk 42d St. M. & St. N. Ave. Ry. Co.	Noisy operation on Broadway between 96th and 97th streets.	Previous investigation showed noise due to rail conditions. Repairs made by company. Satisfied.
4756, Birch Met. St. Ry. Co.	Storage of cars on 145th St. between Lenox and 7th avenues.	See disposition of C-4748.
4757, Wigmore Rich. Lt. & RR. Co.	Failure of cars of South Beach line to make connection with ferries at St. George.	Taken up with company. Great improvement noted by complainant. Satisfied.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 483

File No., name of complainant and company complained against.	Subject.	Disposition.
4758, Horton Third Ave. RR. Co.	Long headway on 125th St. Crosstown line.	On failure of complainant to reply to request for details as to time and location, complaint closed in default.
4759, Gaynor All companies operating over Wmsbg. Bridge	Request miscellaneous information for handling complaints of service from constituents.	Complainant informed of service conditions as requested. Satisfied.
4760, Men's Club or Washington Hgts. I. R. T. Co.	Overcrowded condition of Van Cortlandt Park expresses in subway on Saturdays and Sundays above 96th street.	Investigation showed little justification for complaint; reasonable effort being made to take care of very irregular traffic. See disposition of C-3964.
4761, People's Institute League B. U. El. RR. Co.	Request toilets at all elevated stations.	Explained to complainant not sufficient demand to warrant expenditure necessary to construct toilets. Closed.
4762, Munson L. I. RR. Co.	Poor service and delays on Montauk Division between E. 34th Street Ferry and Richmond Hill around 6 p. m.	Taken up with company and satisfactory improvement noted by complainant.
4763, Munson 42d St. M. & St. N. Ave. Ry. Co.	Request removal of single obstructing seat on front platforms of P-A-Y-E cars.	Investigation showed complaint justified, but in the face of considerable opposition by companies it was not deemed advisable to press matter to a formal decision. Closed.
4764, Thiemer B. H. RR. Co.	Protesting against locating cross-over on Nostrand avenue between Herkimer Street and Atlantic avenue.	Investigated and after formal consideration in Case 1274, deemed ill founded and closed.
4765, Civic Club of Borough of Bronx. I. R. T. Co.	Request extra transfer agent on a certain platform of 149th St. station, Lenox Avenue subway.	Investigated. Platform too narrow for extra transfer booths, which would be benefit only during rush hours. Closed.
4766, Hicks So. Bk. Ry. Co.	Loose and noisy crossing at Neptune Avenue, Culver line.	Investigation showed crossing should be renewed. Company had new cross-over installed. Satisfied.
4767, St. John..... C. I. & B. RR. Co.	Bad condition of tracks on Wythe avenue between Taylor and Keap streets.	Investigated. Company made minor repairs. On further complaint, after formal consideration in Case 1087, company was ordered to renew tracks or make thorough repairs; had not completed latter Jan. 1, 1911.
4768, Auerbach B. R. T. Co.	Inconvenient side step on open cars.	Explained to complainant impracticable to scrap present type of open cars which are popular with majority of passengers; it is doubtful if any more would be approved by Commission. Closed.
4769, Freifeld C. I. & B. RR. Co.	Long waits and overcrowding on DeKalb Avenue line at Fulton street around 6:30 p. m.	Investigated and taken up with company, which improved service, as noted by complainant.
4770, Gillespie <i>et al.</i> So Bk. Ry. Co.	Refusal of cars of Vanderbilt Ave. line <i>et al.</i> to make stops on Gravesend Ave. between 10th and 16th avenues.	See disposition of C-4739.
4771, Smith B. H. RR. Co.	Alleged discrimination in favor of short-line service on Richmond Hill line. Protest against high running boards on open cars.	Investigation showed service generally adequate. Running boards not lower in order to permit play of journal boxes in rounding curve. Complainant so informed. Closed.
4772, Allen B. U. El. RR. Co.	Noise of certain trains on Lexington Avenue el.	Taken up with company, which agreed to keep close watch on rolling stock and grease track regularly. See disposition of C-3357.

484 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4773, Lehmeier L. I. RR. Co.	Dangerous method of train handling at Far Rockaway.	Taken up with company. Complainant noted some improvement. No record of accidents at this point. Closed.
4774, Lefferts Park Imp. League N. E. RR. Co.	Inadequate waiting room and toilet facilities at West End terminal.	Investigation showed adequate facilities during summer months but need for better care. Taken up with company, which made arrangements to detail porter to keep facilities clean. Satisfied.
4775, Washington Hgts. Taxp. Assn. I. R. T. Co.	Inadequate elevator facilities at 181st Street station, Broadway subway.	See disposition of C-4227.
4776, Levine N. Y. N. H. & H. RR. Co.	Alleged excess fare between West Farms and 133d street on the Harlem River branch.	Covered by formal proceedings in Case 1235.
4777, Simon Met. St. Ry. Co.	Noise of brake application on 116th Street Crosstown cars.	See disposition of C-4612.
4778, Duvall S. I. Mid. Ry. Co.	Overcrowding and inadequate service from Midland Beach.	Investigation showed company using all its available equipment to handle summer rush. Impracticable for company to secure additional equipment during that summer. Complainant so informed. Closed.
4779, Merritt So. Bk. Ry. Co.	Refusal of cars of Vanderbilt Avenue line <i>et al.</i> to make stops on Gravesend avenue between 10th and 16th avenues.	See disposition of C-4739.
4780, Wysong Met. St. Ry. Co.	Noisy operation of cars on 34th Street Crosstown line at Madison avenue.	Investigation showed operation not unusually noisy. On failure of complainant to cite special cases complaint was closed in default.
4781, Leonard S. I. Mid. Ry. Co.	Overcrowding and inadequate service from Midland Beach.	See disposition of C-4778.
4782, Velten S. I. Mid. Ry. Co.	Overcrowding and inadequate service from Midland Beach.	See disposition of C-4778.
4783, Simpson Southfield Beach RR. Co.	Turning back of cars at New Creek.	Investigation showed operation stopped pending certain litigation. Guards armed with shotguns immediate obstacle. Explained to complainant. Satisfied.
4784, Quirk B. U. El. RR. Co.	Inadequate 2-car train service from 65th st. around 4:42 a. m., 5th Ave.-Bay Ridge line.	Taken up with company, which made satisfactory answer to complainant.
4785, Graff N. E. RR. Co.	Turning back of car of Vanderbilt Ave. line at Greenwood avenue.	Taken up with company, which denied facts as stated by complainant. Isolated case. No further action deemed advisable.
4786, Hayden C. I. & B. RR. Co.	Long headways on Franklin avenue between 7 and 8 a. m.	Investigation showed delays due to obstruction on track on date mentioned. Service generally adequate. Closed.
4787, Vreeland B. H. RR. Co.	Instance of long wait for Bay Ridge Avenue car at 65th Street terminal around 2 a. m.	Taken up with company, which made satisfactory answer to complainant.
4788, Fuller I. R. T. Co.	Irregular headway at 215th Street station after 8 a. m., Broadway subway.	See disposition of C-3964.
4789, Blithe I. R. T. Co.	Dangerous practice of "sandwiching" wooden cars between steel cars in subway.	Complainant informed such use of wooden cars necessary because of lack of steel ones; several hundred new steel cars ordered, which would undoubtedly be the future policy of the company to use. Satisfied.

File No., name of complainant and company complained against.	Subject.	Disposition.
4790, Dersing <i>et al.</i> So. Bk. Ry. Co.	Annoyance due to switching and coupling of West End trains on Bay 19th street between Bath and Benson avenues.	See disposition of C-4411.
4791, Bd. of Aldermen 3d Ave. RR. Co.	Inadequate service via Third Avenue and 10th Avenue lines to Fort George without change.	Taken up with company. Arranged to operate through service to Ft. George often as needed during summer. Satisfied.
4792, Buettner So. Bk. Ry. Co.	Refusal of cars of Vanderbilt Avenue line <i>et al.</i> to make stops on Gravesend avenue between 10th and 16th avenues.	See disposition of C-4739.
4793, Sargeant Met. St. Ry. Co.	Instance of long headways on 7th Avenue line at 14th street.	Investigation showed headways normally well maintained; long headways the exception. Confirmed by complainant later. Closed. Ill founded.
4794, Cattell I. R. T. Co.	Lack of toilet facilities at Flatbush Avenue station of subway.	Complainant informed of location of toilets and reasons for being thus placed. Closed.
4795, Sylvester, Bass I. R. T. Co.	Danger to passengers due to burning insulation, etc., in subway.	Investigated and considered formally in Case 1239.
4796, Barrett So. Bk. Ry. Co.	Refusal of cars of Vanderbilt Avenue line <i>et al.</i> to make stops on Gravesend avenue between 10th and 16th avenues.	See disposition of C-4739.
4797, May Met. St. Ry. Co.	Noise of application of brakes at 63d street and Madison Ave.	See disposition of C-4612.
4798, Dunning I. R. T. Co.	Danger to passengers due to smoke of burning insulation, etc., in subway. Suggestion for relief.	See disposition of C-4795. Suggestions impracticable.
4799, Kammerer Third Ave. RR. Co.	Request operation of closed cars in June.	Complainant informed of great popular demand for open cars; operation of closed cars inadvisable in view of nearness of midsummer. Closed.
4800, Wheelahan 5th Ave. Coach Co.	Annoyance due to operation of busses not carrying passengers through West 95th street, without proper franchise.	Opinion of counsel—court proper forum. Complainant informed. Closed.
4801, Lazarus Third Ave. RR. Co.	Inadequate service (through) and long headways above 125th street.	See disposition of C-4791.
4802, Finlayson I. R. T. Co.	Incivility of guard on Brooklyn express in subway.	Taken up with company, which handled matter to the expressed satisfaction of complainant.
4804, Tracy Met. St. Ry. Co.	Inability in a certain instance to continue ride north of 42d st. from 4th avenue and Williamsburg Bridge car by transfer.	Taken up with company, which made satisfactory answer to complainant.
4805, Hafer I. R. T. Co.	Failure of southbound train on 9th Avenue line to stop at 140th street.	Taken up with company, which explained such action a violation of company's rules; requested identifying data from complainant. Unable to furnish same. Closed.
4806, Warner I. R. T. Co.	Request that curtains hiding motorman in his box be raised so that he might be relieved in case of disability.	Complainant informed such a step unwise as it would permit annoyance from the curious and motorman's background must be dark. Complainant agreed. Closed. Ill founded.

486 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4807, Green B. H. RR. Co.	Request operation of cars with closed windows on bridge local service.	Taken up with company, which explained that it had no cars in which the windows might be raised and lowered at will, but that it would alter cars if the Commission thought it necessary. Complainant informed. No further action deemed advisable.
4808, Aitchison N. E. RR. Co.	Insolence of conductor of car on 86th Street line.	Taken up by complainant with company. On failure of complainant to inform of company's answer or to take exception, complaint was closed in default.
4809, Tompkins I. R. T. Co.	Refusal of ticket agent to refund for block check when not presented for passage within 48 hours after issuance.	Opinion of counsel was that under normal conditions such tickets were a necessity; limitation of 48 hours did not seem unreasonable. Complainant so informed. Closed.
4810, Openhym 5th Ave. Coach Co.	Request cessation of operation of busses on Riverside drive after 11 p. m., instead of after 1 a. m., to stop noise.	Complainant informed franchise did not limit hours of operation and Commission had no power to alter franchise. Complainant so informed. Closed.
4811, Independence League, 9th Assembly Dist. C. I. & B. RR. Co.	Long headway of De Kalb Avenue cars leaving Park row between 2 and 4 a. m. and 3:30 and 6 p. m.	Investigation showed service adequate to traffic demand. Complainant so informed. Closed. Ill founded.
4812, O'Byrne N. E. RR. Co.	Request transfers between southbound trains on West End line and westbound cars on Bath avenue.	Investigation showed requested transfer privilege not necessary or advisable. Complainant so informed. Closed. Ill founded.
4813, Robb L. I. RR. Co.	Refusal of conductor on Jamaica express to accept tickets for local passage between Flatbush avenue and Jamaica.	Investigated. Gateman at fault for permitting passage through wrong gate; complainant at fault for not noting sign boards. Complainant so informed. Closed.
4814, J. P. Hay..... B. R. T. Co.	General complaint of height of running boards on open cars.	Complainant informed of impracticability of altering present type of cars and great expense of replacing them; company will probably purchase no more of that type. Closed.
4816, Bauer B. Q. Co. & Sub. RR. Co.	Request stop sign at Jamaica avenue and Miller avenue.	Taken up with company, which placed stop sign as desired. Satisfied.
4817, Quayle N. E. RR. Co.	Worn-out rail in front of residence on Bergen street.	Taken up with company, which repaired track. Satisfied.
4818, Towner Met. St. Ry. Co.	Failure of cars of 23d Street line to stop on signal from would-be passengers at 4th ave.	Complainant informed that car stops at this location were controlled chiefly by traffic policemen, whose directions must be obeyed. Closed.
4819, Bway. Men's Club N. Y. & Q. Co. Ry. Co.	Long headway on lines between Long Island City and Flushing and between Flushing and Jamaica.	Investigation showed delays chiefly due to street grading operations on Jackson Ave., necessitating single track operation. Covered also by formal investigation of service in Case 1233. Complainant informed.
4820, Rogers D. D. E. B. & B. RR. Co.	Long headway on Canal Street line.	Complainant informed of track removal proceedings by Attorney-General. Complaint closed pending disposition of proceedings referred to.
4821, Connell I. R. T. Co.	Lack of auxiliary lighting system for emergency in East River tubes.	Investigation showed third rails in East River tubes supplied with seven independent feeders, which should prevent absolute loss of power. Complainant so informed. Satisfied.
4822, Froehlich 5th Ave. Coach Co.	Long wait at 94th street, Riverside drive.	Taken up with company, which made satisfactory answer to complainant.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 487

File No., name of complainant and company complained against.	Subject.	Disposition.
4823, Bd. of Aldermen Union Ry. Co.	Resolution requesting operation across 3d avenue on Tremont avenue to avoid necessity of passengers walking across 3d ave.	Investigation showed transfer passenger movement insufficient to warrant action by Commission.
4824, Kennedy N. E. R.R. Co. <i>et al.</i>	Noisy operation along Prospect Park west.	Thoroughly investigated. Company made special effort to satisfy complaint as shown by repeated inspection. After conference attended by complainant, matter closed.
4825, Cottell N. E. R.R. Co.	Inadequate service on West End line at 69th street around 8:30 a. m.	Taken up with company and subsequent inspection showed 6-car trains in operation, as desired by complainant. Satisfied.
4826, Wilcox Met. St. Ry. Co.	Improper handling of traffic at 116th street and Amsterdam ave.	Taken up with company. Additional employees placed at this point from time to time, improving conditions materially. Satisfied.
4827, Boyle I. R. T. Co.	Poor ventilation in cars in subway. Need of auxiliary lighting system.	Company ordered in case 1177 to make provision for auxiliary lighting system in new cars purchased. Company voluntarily installed a few sets of fans as an experiment. Satisfied.
4828, Steiner L. I. R.R. Co.	Overcrowding on trains of Far Rockaway Division in the afternoon.	Satisfied by action of the company in adding an additional car to particular train complained of.
4829, Cheel <i>et al.</i> C. I. & B. R.R. Co.	Annoyance due to flying dust from drying concrete on new paving between rails on Franklin avenue.	Complainant informed that company was not required by ordinance or its franchise to sprinkle this street; referred to Street Cleaning Department.
4830, Morgenthau ... 5th Ave. Coach Co.	Annoyance due to passage of busses frequently through East 91st street.	Taken up with company, which agreed to discontinue operating busses through this street. Satisfied.
4831, Craig B. R. T. Co.	Danger of blowoffs from upright controller inside car instead of under car body.	Investigation showed company recognized danger and was installing special mechanical devices. No further action deemed necessary.
4832, Silverstone I. R. T. Co.	Request use of both platforms to disembark passengers at City Hall station on Sundays.	Satisfied by action of company in arranging to do this up to 3 p. m.
4833, Citizens League of Windsor Terrace So. Bk. Ry. Co.	Refusal of cars of Vanderbilt Avenue line <i>et al.</i> to make stops on Gravesend avenue at certain points between 10th and 16th avenues.	See disposition of C-4739.
4834, Dowling Met. St. Ry. Co.	Noisy operation of cars at night on 34th Street line between 9th and 10th avenues.	Investigated and taken up with company which renewed track and special work. Satisfied.
4835, Wright N. Y. N. H. & H. R.R. Co.	Failure of many trains to stop at 125th street, inbound.	Limiting terms of contract between this company and the N. Y. Cen. R. R. Co. explained to complainant. Closed.
4836, Goldstein L. I. R.R. Co.	Alleged overcharge between Arverne and New York on Far Rockaway Division.	Explained to complainant 3c. per mile clause of R. R. Law not violated. Closed. Ill founded.
4838, Loundsbery .. L. I. R.R. Co.	Inadequate 4-car train service on Atlantic Division from Jamaica to Flatbush avenue, 8:25 p. m.	Taken up with company, which added two extra cars to train complained of. Satisfied.
4839, Leslie Graff.... Met. St. Ry. Co.	Turning back of car marked 135th street of the Madison Avenue line at 42d street, transfers from which were refused on following Madison Avenue car.	Taken up with company, which made satisfactory answer to complainant.

188 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4840, Abbey 42d St. M. & St. N. Ave. Ry. Co.	Failure of cars marked East 34th Street Ferry to continue beyond 1st avenue and 42d street.	Taken up with company, which made satisfactory explanation to complainant.
4841, Peace B. H. RR. Co.	Operation of cars with flat wheels on Flatbush avenue line at night.	Investigation showed company withdrawing flat wheeled cars as fast as practicable and replacing with new steel wheels. Complainant so informed. Satisfied.
4842, Eagan I. R. T. Co.	Overcrowding on 3d Avenue el. line. Advocated immediate third-tracking.	Complainant informed of progress of third-tracking situation. Closed.
4843, Sackman B. H. RR. Co.	Flat wheels on Flatbush Avenue line.	Investigation showed flat wheels on cars noted by complainant immediately replaced. See disposition of C-4841.
4844, Patten N. Y. & L. I. Tr. Co.	Whistling of cars at a certain point in Point Washington after 10:30 p. m.	Complainant informed matter in jurisdiction of P. S. C. for 2d Dist., to which his complaint was referred.
4845, Costigan B. H. RR. Co.	Poor connections between trolleys and el. trains at 65th Street terminal after 1 a. m.	Investigation showed waits of longer than 4 minutes rare. Closed. Ill founded.
4846, Johnston L. I. RR. Co.	Overcrowding on trains for Rockaway Park leaving Flatbush avenue Saturday afternoons.	Taken up with company, which inaugurated a revised schedule improving service. Satisfied.
4847, Baller B. U. El. RR. Co.	Service on Flatbush Avenue and Brighton Beach lines—height of running board.	Investigation showed complaint in general ill founded. See disposition of C-4814.
4848, Oliver S. I. R. T. Co.	Soft coal on line between St. George and Tottenville.	Taken up with company, which made satisfactory answer to complainant.
4849, Whittel B. H. RR. Co.	Annoyance due to installation of new switch on Nostrand avenue between Herkimer street and Atlantic avenue.	See disposition of C-4764.
4850, Sinclair & Valentine Co. I. R. T. Co.	Location of entrance to subway station at Manhattan street and Broadway, dangerous because of relation to 2-surface car tracks. Suggest stairways to sidewalks.	Investigation showed stairways as suggested would not be used in preference to escalators already installed. Closed. Ill founded.
4851, Baum N. Y. N. H. & H. R. RR. Co.	Protest against stringing of wire fence along railroad track at Baychester.	Complainant informed company has right to install wire fence on its own right of way unless a highway is involved, then the matter should be taken up with Commissioner of Highways. Closed.
4852, Heilborn N. Y. C. & H. R. RR. Co.	Passage of freight trains on Hudson River Division by 138th street, whose engines were burning soft coal.	On failure of complainant to give identifying data as requested complaint was closed in default.
4853, Desel 42d St M. & St. N. Ave. Ry. Co.	Noisy operation of cars past residence on 42d St.	Taken up with company, which put men at work grinding down rail corrugations; complainant noted great improvement. Satisfied.
4854, Rukenbrod B. U. El. RR. Co.	Reduction in service on Brighton Beach line to Fulton Ferry.	Taken up with company and a subsequent inspection showed twice as many trains operated to Fulton Ferry. Closed as satisfied.
4855, Smith Met. St. Ry. Co.	"Car ahead" on 4th and Madison Avenue line at Criminal Courts Building.	Taken up with company, which denied the facts as stated by complainant. On failure of complainant to recall numbers of cars involved, complaint was closed without further action.

File No., name of complainant and company complained against.	Subject.	Disposition.
4856, Bd. of Aldermen I. R. T. Co.	Resolution requesting transfers between subway and elevated system at 66th street and Broadway.	Investigation indicated insufficient traffic demand to justify ordering transfer exchange at this point. Closed as ill founded.
4857, Boggs Met. St. Ry. Co.	Noisy operation on Lexington Avenue line in vicinity of 30th street.	Taken up with company, which agreed to make repairs to tracks and remove cars making most noise. No further action deemed advisable.
4858, Kruse B. U. El. RR. Co.	Instance of delay on Brighton Beach line at Franklin Avenue station.	Taken up with company, which made satisfactory answer to complainant.
4859, Hook Met. St. Ry. Co.	Annoyance due to the presence of "Dutchmen" in rails on 8th avenue between 44th and 45th streets.	Taken up with company, which made repairs to rails. Closed as satisfied.
4860, Business Men's Assn. N. Y. & Q. Co. Ry. Co.	Inadequate shuttle service between 34th St. Ferry and Queensboro Bridge plaza during midday.	Complainant informed of measures taken to increase service and of new cars ordered. Satisfied.
4861, Mowbray 42d St. M. & St. N. Ave. Ry. Co.	Noisy operation on Broadway between 114th and 116th streets.	Taken up with company, which ground out corrugations from rail surfaces. Satisfied.
4862, Business Men's Assn. L. I. RR. Co.	Belching of smoke by locomotives standing under Vernon Avenue viaduct.	Taken up with company, which agreed to stop engines under viaduct as much as possible. Satisfied.
4863, Meffert N. Y. N. H. & H. R. RR. Co.	Stopping of trains on Harlem River branch to enable conductors to collect "zone."	Covered by formal proceedings in Case 1257.
4864, Marcossou B. U. El. RR. Co.	Turning back of train of Culver line marked for New York at Sands street.	Taken up with company, which explained incident due to necessary track repair work on bridge. Satisfied.
4865, Irwin L. I. RR. Co.	Overcrowding on New York bound train of Rockaway Division at Arverne.	Investigation showed train of different number of cars on different dates but generally sufficient to traffic demand. No action deemed advisable.
4866, Livingston N. Y. C. & H. R. RR. Co.	Commutation rates on Hudson River Division between Spuyten Duyvil and New York.	Matter referred after investigation, to P. S. C. for 2d Dist., before whom rates were being considered.
4867, Washington Hgts. Taxp. Assn. I. R. T. Co.	Locked door at foot of public stairway, 181st Street station, Broadway subway.	Not deemed advisable at the time to open this door. See also disposition of C-4227.
4868, Siegel Met St. Ry. Co.	Bad condition of rails in front of residence on 8th avenue.	Taken up with company, which made repairs to rails. Satisfied.
4869, Reiners B. H. RR. Co.	Complaint against transfer system affecting Putnam & Halsey St. line.	Acknowledged and after investigation, closed as ill founded.
4870, Fowler N. E. RR. Co.	Inadequate 3-car train service on West End line south of Atlantic Avenue station.	Taken up with company; subsequent inspection showed service considerably improved. Satisfied.
4871, Dept. of Health N. Y. & Q. Co. Ry. Co.	Unclean hanging straps on Flushing-Jamaica line.	Taken up with company, which agreed to have straps carefully looked after. Satisfied.
4872, Dept. of Health Met. St. Ry. Co.	Noise due to application of brakes on cars of 34th St. Crosstown line.	Investigation showed company replacing old cars with cars of the pre-pavement type; different metal in their brake shoes; produce less noise. Complainant so informed. Satisfied.
4873, DeBost Met. St. Ry. Co.	Inadequate service to South Ferry on Broadway line between 4 and 6 p. m.	Investigated; taken up with company. Improvement in service subsequently noted by complainant. Satisfied.
4874, Maywald N. E. RR. Co.	Refusal of transfer agent at 5th and Bay Ridge avenues to give transfer on a white transfer.	Matter taken up with company; legal difficulties prevented action at the time. Closed.

490 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No.. name of complainant and company complained against.	Subject.	Disposition.
4875, Wood L. I. RR. Co.	Dangerous conditions at Farmers Avenue crossing, Atlantic Division.	Taken up with company; conditions at crossing somewhat bettered; matter under formal consideration in Case 1262; decision not made by Jan. 1, 1911. See disposition of C-3767.
4876, Buys, M. A. Burden B. H. RR. Co.	Noise due to friction of brake shoes on NostRAND Avenue line.	Similar conditions as on Manhattan street railway systems. See disposition of C-4612.
4877, Gilbert N. Y. C. & H. R. RR. Co.	Inadequate facilities at branch ticket offices.	Complainant informed unusual rush due to vacation touring. Observation showed number of clerks increased in some offices. Closed.
4878, Halley Met. St. Ry. Co.	Turning back of car of 4th and Madison Avenue line at 33d St.	Taken up with company, which made satisfactory explanation to complainant.
4879, Oakley B. H. RR. Co.	Storage of cars on 2d avenue between 51st and 54th streets. Request 5-cent fare by transfer to Coney Island.	Matter of car storage taken up with company and satisfactorily adjusted. Ten-cent fare to Coney Island settled in a decision of the Commission.
4880, Nicholson B. U. El. RR. Co.	Alleged discrimination in favor of Brighton Beach traffic on Fulton el. Laborers with dirty clothes among persons with clean clothes.	Investigation showed more Fulton St. trains than Brighton Beach trains during the period complained of. Closed. Ill founded.
4881, Landman C. I. & B. RR. Co.	Inadequate Sunday morning service on DeKalb Ave.-Coney Island line.	Investigated, company put into operation a new schedule. Great improvement in service noted by complainant. Satisfied.
4882, Leslie 5th Ave. Coach Co.	Turning back of bus at 21st street and refusal of conductor to give continuing transfer.	Investigation showed continuing ride provided by bus, but complainant insisted on having top seat. Closed. Ill founded.
4883, O'Kennedy N. Y. C. Int. Ry. Co.	Lack of shelter at Washington bridge and Amsterdam Avenue and at Aqueduct avenue and Fordham road.	Investigated. Insufficient transfer traffic to justify waiting room; site would have to be secured from city. Complainant so informed. Closed.
4884, Saulnier I. R. T. Co. B. U. El. RR. Co.	Delays to downtown 3d Avenue expresses at 44th street; illegible station signs on Brighton Beach el.	Investigation showed locals and expresses passed by switch with little irregularity and fast as track capacity would permit. Relative to illegible station signs see disposition of C-4658.
4885, Rudolphy Met. St. Ry. Co.	Inadequate service on Lexington Avenue line between 34th street and 86th street during morning rush hours.	Investigated and taken up with company. Subsequent inspection showed some improvement. Closed.
4886, Shattuck I. R. T. Co.	Alleged decrease of service on 6th Avenue el. line.	Investigation showed a slight decrease in service, but less proportionately than falling off in summer traffic. Seats exceeded passengers in number each half-hour period. Closed. Ill founded.
4887, Bd. of Aldermen Union Ry. Co.	Resolution requesting Kingsbridge and Willis Avenue lines to continue across 3d Avenue at Willis and Melrose avenues.	Investigation showed change would increase danger, lengthen route and not be to the interest of the greatest traffic. Closed. Ill founded.
4888, Cohen Union Ry. Co.	Dust stirred up by rapid operation of Fordham Heights line in front of 28th Bailey avenue, Bronx.	Taken up with company, which made satisfactory answer to complainant.
4889, Nathan Ocean Elec. Ry. Co.	Overcrowding and long headways between Far Rockaway and Rockaway Beach.	Taken up with company. Stated six new cars had been received and would be added to service. Satisfied.
4890, Brooklyn Hospital B. U. El. RR. Co.	Flat wheels on el. trains operating along Hudson avenue annoying to patients.	Taken up with company, which made satisfactory answer to complainant.

File No., name of complainant and company complained against.	Subject.	Disposition.
4891, Peyser B. H. RR. Co.	New granite pavement laid between rails on Grand street in poor condition.	Taken up with company, which removed cause of complaint.
4892, Flowers I. R. T. Co. Met. St. Ry. Co.	Poor ventilation in subway and P-A-Y-E cars. Suggests installation of fans.	Experimental installation of fans in subway cars did not satisfactorily demonstrate feasibility of scheme. No action by Commission deemed advisable.
4893, Kellogg N. Y. & L. I. Tr. Co. L. I. Elec. Ry. Co.	Failure of company to lay dust on Hempstead turnpike. Non-fulfillment of franchise terms in connection therewith.	Investigation showed company operating over tracks by trackage agreement; not bound by franchise to sprinkle streets. Complainant so informed; referred to borough authorities. Closed.
4894, Cameron B. U. El. RR. Co.	Annoyance and nuisance caused by littering adjacent yards with papers, etc., thrown from Brighton Beach el. trains.	Taken up with company; porter to clean up yards every day; not effective until discontinuance of summer traffic to Coney Island. Closed.
4895, Fuchs L. I. RR. Co.	Dangerous crossing at Locust avenue, St. Albans.	Investigation showed complaint justified, gates ordered after formal hearings in Case 1255, and installed by company. Satisfied.
4896, Case L. I. RR. Co.	Reselling of parlor car seats on train of Manhattan Beach Division and refusal to refund to proper ticket holder.	Taken up with company, which acknowledged fault, disciplined conductor and refunded cost of ticket. Satisfied.
4897, Voris L. I. Elec. Ry. Co.	Inadequate service to Far Rockaway around 2:40 p. m., Saturdays.	Investigation showed complaint justified. Company added twelve cars to Saturday schedule, which improved conditions somewhat. No further action deemed advisable.
4898, Graef L. I. RR. Co.	Poor arrangements for boarding trains and inadequate train directions at Arverne station, Rockaway Division.	Covered by formal proceedings in Case 1250.
4899, DeWitt C. I. & B. RR. Co.	Dust due to passage of Franklin Avenue cars at Parkside and Ocean avenue.	Taken up with company, which made satisfactory answer to complainant.
4900, Frion L. I. Elec. Ry. Co.	Request change of Jamaica terminus of Far Rockaway line to South street.	Investigation showed change made arbitrarily by despatcher year before not beneficial to general service; resulted in numerous complaints. Present system best. Closed. Ill founded.
4901, Riggs Met. St. Ry. Co.	Alleged poor handling of minor accident on Lexington Ave. line.	Taken up with company, which made satisfactory answer to complainant.
4902, Bd. of Aldermen N. Y. C. Int. Ry. Co.	Miserable condition of pavement on Intervale avenue after track removal.	Taken up with company, which explained contractor in charge was proceeding according to requirements of borough authorities. Complainant so informed. Closed.
4903, Wandless 42d St. M. & St. N. Ave. Ry. Co.	Noise due to flat wheels, loose brakes, etc., on Broadway between 110th and 116th streets.	Investigated. Company made repairs and removed corrugations to rails; improvement in conditions. No further action deemed advisable.
4904, Huylers 3d Ave. RR. Co.	Rails left in front of premises; obstruction to business — 125th St. Crosstown line.	Taken up with company, which removed rails. Satisfied.
4905, McDonough ... B. H. RR. Co.	Annoyance due to unloading of asphalt, etc., from cars on Avenue C, near Coney Island avenue.	Investigated. Company arranged to abate some of the annoyance. Satisfied as far as jurisdiction of P. S. C. was involved.
4906, West Side Tennis Club I. R. T. Co.	Failure to open three empty cars for passengers on Broadway subway train at 238th St. station.	Taken up with company; alleged temporary shortage of men and anticipation of big crowd from American League Baseball Park. Complainant informed. Closed.

492 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4907, Curry 3d Ave. R.R. Co.	Turning back of too large a number of cars at 6th street.	Investigation showed sufficient service south of 6th St. Closed. Ill founded.
4908, Long I. R. T. Co.	Careless operation of side door in subway train.	Taken up with company; disciplined employee at fault. Satisfied.
4909, Myers L. I. R.R. Co.	Insufficient service on Rockaway Division.	Investigated. Company made substantial increases to service. Satisfied.
4910, Murphy N. E. R.R. Co.	Failure of Greene and Gates Avenue line to transfer to Vanderbilt Avenue line.	Investigation showed different operating company; congestion on Gates Ave. line to some extent avoided; insufficient traffic demand for transfer exchange. Complainant so informed. Closed.
4911, Palmer B. H. R.R. Co.	Protest against installation of cross-over on Nostrand avenue between Herkimer street and Atlantic avenue.	See disposition of C-4764.
4912, Kennaehan ... N. E. R.R. Co.	Inadequate southbound service on Ocean Avenue line between 4:30 and 6:30 p. m.	Company increased service 11 per cent, materially improving conditions. Satisfied.
4913, Ehrlich Union Ry. Co.	Corrugated rail at Webster avenue and 201st street.	Company made necessary repairs to rail. Satisfied.
4914, Goodspeed B. H. R.R. Co.	Inadequate service on Montague Street line between 9 p. m. and 1 a. m.	Company made satisfactory answer to complainant.
4915, Local Imp. Assn. of N. D. S. I. Ry. Co.	Inadequate station facilities and dangerous grade crossing at New Dorp.	Investigated. After formal hearings in Case 1256, gates were ordered at crossing, company voluntarily improving station conditions. Satisfied.
4916, Friedman B. U. El. R.R. Co.	Request toilets, etc., at stations on Broadway, Canarsie line.	On failure of complainant to prepare formal complaint, as requested, complaint was closed in default.
4917, Gravesend Bd. of Trade So. Bk. Ry. Co.	Failure of trolley cars to stop at Avenue U on Gravesend avenue.	Company made satisfactory answer to complainant.
4918, Corrigan N. Y. N. H. & H. R. R.R. Co.	Inadequate service to Pelham Bay park on Harlem Division.	Covered by formal proceedings in Case 1257.
4919, Robinson B. U. El. R.R. Co.	Inability to travel via Church Ave., Brighton Beach and Lorimer St. lines for a single 5-cent fare.	Explained to complainant right to compel interchange of transfers between rapid transit and surface lines denied P. S. C. by terms of revised P. S. C. Act. Good substitute route presented. Closed. Ill founded.
4920, Wood 5th Ave. Coach Co.	Noisy operation of bus on Riverside drive after midnight.	Company discontinued last midnight trip. Closed.
4921, Gordon D. D. E. B. & B R.R. Co.	Protest against operation of closed cars during hot weather on Grand Street line to Brooklyn.	Investigation showed operation of open cars dangerous because of insufficient clearance on Williamsburg Bridge. Closed.
4922, Berzick B. R. T. Co.	Improper transfer arrangements for traffic from Park row, changing at Borough Hall.	Investigation showed system in some respects defective, but no good substitute plan at hand. Complainant so informed. Closed.
4922, Rosin, R.E. Lep I. R. T. Co.	Alleged instance of abuse and assault by special officer in subway.	Company made answer denying allegations of complainant; made some against complainant. Closed as being dispute subject to disposition in courts.
4924, Chilton N. Y. N. H. & H. R. R.R. Co.	Inadequate service on Harlem River branch between Baychester and 133d streets and stopping trains to give conductors time to collect "zone" tickets.	Covered by formal proceedings in Case 1257.
4925, Sorensen B. H. R.R. Co.	Flat wheels on cars operating through Bay Ridge avenue.	Company partially removed cause for complaint. Further action deemed inadvisable.

File No., name of complainant and company complained against.	Subject.	Disposition.
4926, Rushmore L. I. RR. Co.	Rates between Hunting- ton and Brooklyn, North Shore Division.	Complaint referred to Public Service Commission, Second District, Closed. No jurisdiction.
4927, Van Nest Prop. Owners Assn. N. Y. Westchester & Boston Ry. Co.	Blockading of Unionport road by track con- struction work.	Taken up with company, which an- swered permit had been secured from Borough President; work was delayed pending determination of city officials as to grade of street. Complainant so informed. Closed. Investigation showed service gener- ally adequate. Closed. Ill founded.
4928, Schoenherr.... B. U. El. RR. Co.	Inadequate Sunday, hol- iday and non-rush hour service on Myr- tle Avenue el. line.	Investigation showed company in- creasing service, which subsequent inspection showed to be fairly ade- quate. Closed.
4929, Schoenherr B. U. El. RR. Co.	Inadequate service on Broadway el. line, Sundays, holidays and non-rush hours.	Investigation showed this one of the heaviest transfer points in Brook- lyn. Matter taken up with com- pany; plans considered for future improvements. Complainant so in- formed. Closed.
4930, Schoenherr B. U. El. RR. Co.	Inadequate stairway fa- cilities at the junction of Broadway and Myr- tle Avenue el. lines.	Investigation showed very irregular movement of traffic. Company agreed to do everything practicable to make service satisfactory. Satis- fied.
4931, Schoenherr..... B. H. RR. Co.	Inadequate service on Flushing - Ridgewood and other lines run- ning through Maspeth.	See disposition of C-4925.
4932, Merritt B. H. RR. Co.	Flat wheels on Bay Ridge avenue.	Matter investigated and taken up with company. Subsequent in- spection showed 135th St. despatcher using fair judgment in sending trains through to 155th St. No fur- ther action deemed advisable.
4933, Millett I. R. T. Co.	Request that 9th Avenue passengers for baseball games be discharged at 155th street instead of 135th street.	Company refused to make rebate be- cause privilege had been grossly abused. No clause in tariff properly filed required company to do this. Complainant so informed. Closed.
4934, Howard L. I. RR. Co.	Refusal to grant rebate on commutation ticket for fares paid while complainant did not carry it.	Investigation showed accident due to a cause which company could not reasonably have been expected to foresee. Closed.
4935, Ketchel S. I. R. T. Ry. Co.	Collision at Dongan Hills an evidence of company's slipshod op- erating methods.	Complainant informed of and com- plaint covered by formal proceed- ings in Case 1251.
4936, Cuinet N. Y. & L. I. Tr. Co.	Request double track- ing of Brooklyn-Min- eola line by January 1, 1911, as provided by franchise.	
4937, Hotel Marlton Donovan Met. St. Ry. Co.	Noisy operation of 8th Avenue Crosstown line past premises.	Taken up with company, which made satisfactory answer to complain- ant.
4938, Abbott N. Y. N. H. & H. R. RR. Co.	Unnecessary noise at Westchester freight yards, Harlem River Division.	Taken up with company, which is- sued instructions to employees to exercise great care in switching cars. Satisfied.
4939, Tonk Westchester Elec. Ry. Co.	Difficulty in going by transfer from 128th street to Mount Ver- non.	Complainant informed of route by which journey can be made for a single 5c. fare. Closed.
4940, Hamer <i>et al.</i> ... L. I. RR. Co.	Request additional serv- ice between Flatbush avenue and Rockaway Park between midnight and 6 a. m.	Taken up with company by informal correspondence. Increased service refused. On failure of complainant to prepare formal complaint, mat- ter was closed in default.
4941, Graef Ocean Elec. Ry. Co.	Inadequate service Sun- day afternoons be- tween Arverne and Hammels.	Taken up with company, which made satisfactory answer to complain- ant. See disposition of C-4839.
4942, Heeneman.... B. R. T. Co.	General complaint of poor service across Williamsburg Bridge and throughout Flat- bush.	On failure to get from complainant specific statements, complaint was closed. Ill founded.
4943, Burlingame ... L. I. RR. Co.	General complaint of dis- crimination through- out the system in providing service for commuters.	On failure of complainant to make specific complaint, as suggested, matter was closed in default.

494 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4944, Waite I. R. T. Co.	Smoking and carrying lighted cigars and cigarettes on platforms and inside of closed cars.	Complainant informed of impracticability of formulating rule which would be obeyed in absence of a prohibitory state law or city ordinance. Closed.
4945, Bedford and Park Ave. Bd. of Trade N. E. RR. Co.	Inadequate service on Park Avenue line.	Taken up with company, which put on extra open cars and decreased headway, improving service materially. Satisfied.
4946, Herriman Met. St. Ry. Co.	Failure of cars of 4th & Madison Avenue line northbound to stop at near side of 42d street.	Complainant informed that movement of cars at the point referred to was necessarily subject to regulation of traffic officer. Closed.
4947, Ryan Sea Beach Ry. Co.	Request that short-line service between New Utrecht avenue and Coney Island be resumed.	Taken up with company, which inaugurated this service, considerably improving conditions, as noted by complainant. Satisfied.
4948, Wenk B. U. El. RR. Co. L. I. RR. Co.	Failure of trains of joint service to make stops at Broad Channel station.	Taken up with company, which modified schedule, adding stops at Broad Channel. Satisfied.
4949, Fischer N. E. RR. Co.	Negligent pulling of bell rope while passenger was alighting from car.	Investigated and taken up with company; employee at fault could not be identified. Complainant informed. Closed.
4950, Ely I. R. T. Co.	Operation of cars south from 238th street on Broadway subway closed to passengers.	See disposition of C-4906.
4951, DuBrul I. R. T. Co.	Storage of cars on third track of 3d Avenue el. north from 84th St.	Investigation showed such storage necessary pending construction of additional storage facilities. Complainant informed. Closed.
4952, Forrester..... B. U. El. RR. Co.	Inadequate local service Sundays between Prospect Park and Sheephead Bay, Brighton Beach el. line.	Investigation showed local service not adequate. Taken up with company and improvement noted. Complainant informed service on this line a matter of routine inspection. Closed.
4953, Boochever L. I. RR. Co.	Overcrowding on trains between Arverne and Flatbush Avenue stations.	Investigation showed service generally good. Complainant later modified complaint. Closed.
4954, Neiland I. R. T. Co.	Heat in subway cars. Request that fans be installed in roofs of cars.	See disposition of C-4892.
4955, Abbott N. Y. N. H. & H. R. RR. Co.	Lack of adequate baggage checking facilities on Harlem River Division.	Taken up with company, which made reports of the conditions at each station and agreed to avoid trouble in the future. Satisfied.
4956, Ryan C. I. & Gravesend Ry. Co. Sea Beach Ry. Co.	Poor connection between Surf Avenue cars and Sea Beach line in the morning.	Taken up with the company which instructed conductors to carefully observe headway. Later inspection showed great improvement. Satisfied.
4957, Molitor L. I. RR. Co.	Failure of branch ticket office on Broadway to keep open for business and inadequate ticket selling facilities at 34th Street station.	Complainant informed that branch ticket offices were not regarded as regular operating feature of a railroad but as inducements for traffic; That Pennsylvania tunnels would shortly be opened and rush at E. 34th St. ticket windows decreased. Closed.
4958, Stickley I. R. T. Co.	Storage of trains on 3d track of 3d Ave. el. between 84th and 89th streets.	See disposition of C-4951.
4959, Dunne B. H. RR. Co.	Noisy operation on NostRAND avenue between Park and Prospect places.	Investigated and taken up with company, which made repairs to tracks. Satisfied.
4960, Meissner Ocean Elec. Ry. Co.	Noise due to rapid operation across switch at Remsen ave., Seaside.	Taken up with company, which removed switch and restored straight track. Satisfied.

File No., name of complainant and company complained against.	Subject.	Disposition.
4961, Graham B. H. RR. Co. N. E. RR. Co.	Noisy operation across cross-over at Vanderbilt and Greene aves.	Investigated and taken up with company, which agreed to install new cross-over. (Probably early in spring of 1911.) Closed without further action, pending fulfillment of company's agreement.
4962, Wax B. H. RR. Co.	Noise due to poor condition of tracks at Harrison avenue and Lorimer street.	Taken up with company, which renewed or repaired special work at this point. Satisfied.
4963, Schmidt B. R. T. Co.	Smoking on surface and elevated cars.	See disposition of C-4944 (I. R. T. Co.)
4964, Schmitt B. U. El. RR. Co.	Refusal to accept transfers from surface lines which would permit ride to Coney Island for a single 5-cent fare.	Ten-cent fare to Coney Island, according to the properly filed tariffs of the company, deemed just and reasonable. Complainant so informed. Closed.
4965, Vincent B. U. El. RR. Co. L. I. RR. Co.	Inadequate service between Delancey street and Rockaway Beach.	Service on this line repeatedly inspected and additions made from time to time. Complainant noted improvement. Satisfied.
4966, Schaeffler L. I. RR. Co.	Dangerous curves at Cold Springs on Wading River branch; high speed; rough coupling at Long Island City.	Referred to Second District, except matter of coupling, which was taken up with company, which agreed to see that its employees were more careful. Complainant informed. Closed.
4967, Linville <i>et al.</i> L. I. RR. Co.	Request more adequate station structure at Hillside, Atlantic Division.	Investigated. Taken up with company; land secured for new station, construction of which awaits final determination as to improvement through Jamaica. Satisfied.
4968, Gilchrist C. I. & Gravesend Ry. Co. N. E. RR. Co.	Failure of certain trip of Sea Gate car to make proper connection with West End train.	Investigation showed complaint ill founded, as West End train is scheduled to leave 7 minutes after arrival of surface car. See also disposition of C-4956.
4969, Railroad Men's Imp. Society B. R. T. Co.	Alleged fare discrimination affecting various lines south of 36th street.	Complainant informed transfer system so arranged that company may receive 10c. fare to Coney Island, also that Commission is prohibited by law from exercising jurisdiction to compel transfers between rapid transit and street surface lines. Closed.
4970, Weissbuch B. U. El. RR. Co.	Station pillars and uprights dangerously near tracks.	Conditions not believed unusually dangerous. Remedial construction work would require an unreasonable expenditure. Closed. Ill founded.
4971, Baum Third Ave. RR. Co.	Failure at times of cars to stop between 129th street and 136th street on Amsterdam avenue.	Taken up with company, which made satisfactory answer to complainant.
4972, Wyckoff Hgts. Taxp. Assn. Met. St. Ry. Co.	Overcrowding on 4th and Williamsburg Bridge line crossing the bridge.	Previous investigation had shown more power cables necessary and company was making arrangements to install them. Complainant so informed. Closed.
4973, Rathbun B. U. El. RR. Co.	Inability to ride via Brighton Beach, Flatbush Ave., 5th Ave. and 36th St. lines from Coney Island to a point in Bay Ridge for a 10c. fare.	Complainant informed transfer arrangement desired would mean a return to starting point for a single fare; much easier and shorter route possible. Closed. Ill founded.
4974, South Side Bd. of Trade N. E. RR. Co.	Complaint of dangerous platforms and gates on trains, station platforms and use of T rails. Suggestion for improvement. West End line.	No action deemed advisable pending disposition of Fourth Ave. subway with regard to New Utrecht Ave.
4975, Gilmoar N. E. RR. Co.	Refusal of conductor of Flatbush Ave. car to accept transfer from Union St. car at Court and Livingston Sts.	Explained to complainant company is under no legal obligation to exchange transfers at this point. Closed. Ill founded.

496 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
4976, Plischke N. E. RR. Co.	Fatal accident at Bay 25th St. on West End line due to alleged dangerous conditions.	Conditions common to operation of trains through public streets. See disposition of C-4974.
4977, Philia Club.... Met. St. Ry. Co.	Inadequate service on 3th Ave. line below 13th St.	Investigation showed service adequate, slight "bunching" and delays due to vehicular traffic. Closed. Ill founded.
4978, Herz Met. St. Ry. Co.	Long waits for 8th Ave. cars at 86th St. between 7 and 8 a. m.	Taken up with company which made satisfactory answer to complainant.
4979, White Third Ave. RR. Co.	Inadequate service on Third Ave. from 129th St. south.	Taken up with company which made satisfactory answer to complainant.
4980, Demovitch L. I. RR. Co. B. U. El. RR. Co.	Inadequate service between Delancey St. and Rockaway Beach. Unnecessary slowing up of trains.	Slowing up of trains found to be due to exigencies of operation. See also disposition of C-4965.
4981, Barker N. Y. C. & H. R. RR. Co.	Noisy operation of Hudson River Division north of Grant's Tomb after 2 a. m.	Investigation showed a large milk depot at this place and little unnecessary noise made, but the company was willing to have its employees instructed to use more care. Complainant so informed. Closed as satisfied.
4982, Dana I. R. T. Co.	Request elevators or escalators at all el. stations to attract traffic from subway to elevated lines.	Acknowledged and closed without further action.
4983, Donovan L. I. RR. Co.	Inability to use commutation ticket between points within the points specified on its face.	Complainant informed of tariff regulations permitting this practice. Satisfied.
4984, Ryon B. H. RR. Co.	Noisy operation on Nostrand Ave. in vicinity of Hancock Street.	Investigation showed noise due chiefly to rail conditions. Taken up with company which arranged to repair rails. Satisfied.
4985, Dempsey Union Ry. Co.	Refusal of conductor of Westchester Ave. car to accept transfer from 138th St. Ave. car on a transfer from Willis Ave. car.	Investigation showed complainant might have taken more direct route; existing transfer arrangement complained of reasonable.
4986, Gaynor C. I. & B. RR. Co.	Overcrowding on out-bound Franklin Ave. cars at Williamsburg Bridge Plaza.	Investigation showed company operating short-line service to accommodate passengers south of Williamsburg Bridge plaza. No action deemed advisable.
4987, Zehria <i>et al.</i> N. E. RR. Co.	Petition requesting car stop be located on Union Street between 3d and 4th Aves.	Taken up with company which established the trolley stop desired. Satisfied.
4988, Chandler L. I. RR. Co.	Inadequate service between Amityville and Flatbush Ave. and delays between Valley Stream and Jamaica.	Former matter referred to Public Service Commission for Second District. Investigation showed delays due to installation of new signal system, which was shortly thereafter completed. Complainant so informed. Closed.
4989, Goldfinger..... B. U. El. RR. Co. L. I. RR. Co.	Sunday service between Delancey St. and Rockaway Beach.	See dispositions of C-4909 and C-4980.
4990, Lutzin I. R. T. Co.	Non-operation of escalator at 177th St. station, Saturday and Sunday evenings. Lenox Ave. subway.	Taken up with company which arranged to have escalator operated until 11 p. m. on these days. Satisfied.
4992, Hotel Netherland C. P. N. & E. R. RR. Co.	Noise due to poor rails on 59th St.	Taken up with company which made repairs and great improvement noted by complainant. Satisfied.
4993, Morris Pk. Cit. Assn. L. I. RR. Co.	Failure of crews on Atlantic Division to open both platform traps on station side of cars at stops.	Taken up with company which instructed its employees to exercise greater care; disciplined a number found at fault. Satisfied.

File No., name of complainant and company complained against.	Subject.	Disposition.
4994, Rolands B. H. RR. Co.	Annoyance due to unloading of freight cars of street paving materials on Ave. C near Coney Island Ave.	See disposition of C-4905.
4995, Appleton L. I. RR. Co.	Dangerous space between car and station platforms at Warwick St., Atlantic Division.	Taken up with company which issued orders that sliding sections of train platforms be regularly put into operation. Satisfied.
4996, Miller Met. St. Ry. Co.	Injury to sidewalk due to storage of rails in front of premises.	Complainant informed that as matter seemed to be claim against railroad company Public Service Commission was not proper forum.
4997, Wynn L. I. RR. Co.	Dangerous trolley crossing at Borden Ave.	Complainant informed that company was preparing plans for the elevation of its tracks in this vicinity which would eliminate crossing. Closed.
4998, Kraemer N. Y. & Q. Co. Ry. Co.	Request regular issue of transfers from out-bound Flushing to out-bound College Point cars at Flushing Bridge.	Investigated. Complaint in measure justified; insufficient traffic demand to warrant ordering transfer exchange requested. Closed.
4999, Goodman N. Y. & Q. Co. Ry. Co.	Accident due to small clearance between Steinway car and bridge structure, Queensboro Bridge.	Investigated and taken up with company which made certain alterations to cars eliminating danger. Satisfied.
5000, Schubel B. U. El. RR. Co. B. H. RR. Co.	Poor condition of railroad tracks and structures at Ridgewood terminal.	Investigated and taken up with company; tracks were renewed or repaired. Buildings not a subject for action by Commission at the time. Satisfied.
5001, West End Bd. of Trade N. E. RR. Co.	Overcrowding on 39th St. Ferry-Coney Island line between 6 and 7 p. m.	Investigated and taken up with company; subsequent inspections showed considerable improvement. Satisfied.
5002, Higby L. I. RR. Co.	Dangerous condition at Smith St. Crossing, Jamaica. Request extra flagman.	Taken up with company which explained that extra man was on duty. No action.
5003, Thompson N. Y. N. H. & H. RR. Co.	Excess fare on Harlem River branch.	Covered by formal proceedings in Case 1235.
5004, Parker <i>et al.</i> ... N. E. RR. Co.	Alleged obstruction to sidewalk on 5th Ave., due to track repair work.	Investigation showed sufficient width of sidewalk for pedestrians; obstruction quickly moved as work progressed. Ill founded.
5005, Wilson 42d St. M. & St. N. Ave. Ry. Co.	Poor condition of rails on Broadway near 75th St.	Investigated and taken up with company and great improvement subsequently noted by complainant. Satisfied.
5006, Ind. League... Sea Beach Ry. Co.	Inadequate service between Coney Island and Park Row around 4 a. m.	Investigation showed train at this time generally carried less than seated loads. Closed, ill founded.
5007, Stuart Met. St. Ry. Co.	Unsanitary condition of Chambers St. cars.	Taken up with company; cars cleaned every night; measures taken to prevent children along route throwing fruit, skins and rubbish in the cars. Satisfied.
5008, Halberstadt ... N. Y. N. H. & H. RR. Co. J. R. T. Co.	Need of fans in cars of Harlem River branch and in subway.	See disposition of C-4827. Use of fans not universally regarded as solving the problem of ventilation. Closed without action.
5009, Torrey Met. St. Ry. Co.	Delay on P-A-Y-E cars of 34th St. Crosstown line due to time taken by conductors to make change. East 34th St. Ferry the particular point.	Complainant informed that P-A-Y-E cars proved generally satisfactory; conditions at East 34th street to be moderated after beginning of tunnel service. Closed.

498 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
5010, Hessel B. H. RR. Co.	Refusal of conductors on summer lines on Flatbush Ave. to issue transfers to northbound passengers until junction of Flatbush and Nostrand Aves. was reached.	Investigation showed this regulation necessary to avoid certain fraudulent practices of passengers in using transfers. Complainant so informed. Closed.
5011, Griggs N. Y. C. & H. R. RR. Co.	Overheated cars due to storage in open yards at Lexington Ave. terminal.	Acknowledged and closed as dormant pending progress of construction work.
5012, Elgar I. R. T. Co.	Inability to travel via southbound 3d Ave. el. train and northbound subway train; change at 149th St. for a single 5c. fare.	Explained to complainant system was reasonable, as change suggested would permit business transaction in vicinity of 149th street and return trip on the same fare. Could reverse direction at 143d street. Closed.
5013, Gould N. Y. C. & H. R. RR. Co.	Delays to river traffic due to operation of railroad drawbridge at Spuyten Duyvil.	Complainant informed that War Department had jurisdiction.
5014, Davis I. R. T. Co.	Overcrowding in subway during rush hours at Bowling Green and other stations, and delays above 96th St. on Broadway branch of subway.	See dispositions of C-4164 and C-3964.
5115, Fisher L. I. RR. Co.	Lack of protection for third rail on middle track in front of Stratton Ave. station, Rockaway Division.	Taken up with company which made proper construction. Satisfied.
5016, Moore B. U. RR. Co.	Inability to use yellow, westbound, ticket for eastbound ride on Brighton Beach line, 10c. fare resulting between Prospect Park and Coney Island.	Explained to complainant that as notices are properly posted in stations agents would be justified in expecting passengers to state whether going to Coney Island or not.
5017, Jaffy L. I. RR. Co. B. U. El. RR. Co.	Poor service, unprotected track, passenger pens, etc., Rockaway Division.	Investigation showed service inadequate, but limit of equipment resources reached. In view of it being close of season complaint was closed as dormant pending improvements in station and rolling equipment for season of 1911.
5018, Bloss N. Y., Westchester & Boston Ry. Co.	Dangerous location of pillars under bridge crossing Boston Post Road.	Investigation showed complaint justified. Referred to borough president for remedial action. Satisfied.
5019, Mooney L. I. RR. Co.	Overcrowding on two trains of Far Rockaway branch.	Investigation showed apparent overcrowding due to poor distribution of load, seats being available in forward and rear cars. Complainant so informed. Satisfied.
5020, Van Buskirk . B. U. El. RR. Co.	Lack of transfers between el. and surface lines at 36th St.	Explained to complainant that revised Public Service Commissions Law denies Commission power to order transfers between rapid transit and surface lines. Closed.
5021, Rodgen B. H. RR. Co.	Turning back of car marked Park Row at Borough Hall, Flatbush Ave. line.	Taken up with company which made satisfactory answer to complainant.
5022, Bowski N. Y. C. Int. Ry. Co. Union Ry. Co.	Lack of transfers between lines of both companies at West Farms.	(Transfer agreement reached by informal conference early in 1911.) Covered by Case 1299.
5023, Burhans N. Y. & Q. Co. Ry. Co.	Protest against railings and handling of passengers by policemen at loop for College Point and Flushing cars at Queensboro Bridge.	Investigation showed police arrangements, etc., best way to handle traffic at this point. Closed. Ill founded.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 499

File No., name of complainant and company complained against.	Subject.	Disposition.
5024, Dressner Union Ry. Co.	Refusal of conductor on Westchester Ave. line to accept transfer from Fordham line.	Taken up with company which made satisfactory answer to complainant.
5025, Raphael Met. St. Ry. Co.	Noise of brake shoes on cars along Central Park West.	See disposition of C-4612.
5026, Tompkins S. I. Mid. Ry. Co.	Refusal to exchange transfers at Concord.	Investigation showed transfer exchange at this point permitted between certain lines but not apparently needed between all lines. Closed, ill founded.
5097, Hillegas Rich. Lt. & RR. Co.	Inadequate service and proximity of poison ivy, Elizabethport Ferry line, <i>et al.</i>	Investigation showed running time to be decreased. Poison ivy removed by direction of Board of Health. Satisfied.
5028, Hickok Rich. Lt. & RR. Co.	Delays due to location and insufficient number of turnouts, Castleton Ave. and Jersey St. lines.	Investigation showed double tracking the indicated solution. Closed pending action of Commissioner of Public Works in matter of widening certain streets.
5029, Smith L. I. RR. Co.	Overcrowding at East 34th St. Ferry station on Sundays.	Complainant informed of tunnel operation about to be commenced, which changed conditions radically at this station. Closed.
5030, Babcock Hudson & Man. RR. Co.	Refusal of ticket agent to accept block ticket after a lapse of 48 hours.	See disposition of C-4809.
5031, LeBlanc S. I. Mid. Ry. Co.	Inadequate service on Silver Lake line <i>et al.</i> Dilapidated condition of car on Silver Lake line.	Investigation showed complaint unfounded except as to condition of car, which was brought to the attention of the company for repair. Closed.
5032, Riley S. I. Mid. Ry. Co.	Inadequate service to Midland Beach.	Investigation showed company without sufficient power and rolling stock to provide adequate service. In view of approaching end of season no further action was deemed advisable.
5033, David Mayer Brewing Co. I. R. T. Co.	Noise of el. trains passing premises, 3d Ave. line.	Investigation showed noise at this point not unusual. Closed. Ill founded.
5034, Lamison Met. St. Ry. Co.	Refusal of conductor of Broadway-Amsterdam line to accept transfer from Broadway-Lexington line at 23d St.	Complainant informed transfers were exchanged at diverging point of these lines; refusal to accept transfer at 23d street in accordance with universal and approved practice. Closed. Ill founded.
5035, Baruch Hudson & Man. RR. Co.	Refusal of ticket agents to accept block tickets after lapse of 48 hours.	See dispositions of C-4809 and C-5030.
5036, Edelsten L. I. RR. Co.	Failure of trainmen to announce destination of train at Jamaica. Cinder platform and lack of protection for third rail at Arverne, etc.	Investigation showed cinder platform in good condition, third rail protection adequate, and competent announcer at Jamaica. Complainant so informed. Closed.
5037, Tucker L. I. RR. Co.	Dangerous crossing at Ramblersville on Rockaway Beach Division Saturdays and Sundays.	Taken up with company which installed watchmen Saturdays and Sundays for balance of season. Satisfied.
5038, Moschcovitz ... Met. St. Ry. Co.	Failure of car of 4th and Madison Ave. line to stop on signal at 74th St.	Taken up with company which made satisfactory answer to complainant.
5040, Kamerer I. R. T. Co.	Request operation of escalator to 59th St. station of 3d Ave. el. after 7 p. m.	Investigation showed operation of this escalator after 7 p. m. not warranted by traffic. Closed. Ill founded.
5041, McMurphy Union Ry. Co.	Turning back of cars on Jerome Ave. line at Woodlawn Cemetery.	Complainant informed this operation necessary due to single track operation above that point for repair work, which was discontinued within three weeks after complaint. Satisfied.

500 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
5042, Tough 42d St. M. & St. N. Ave. Ry. Co.	"Car ahead" at 42d St. and First Ave.	Complainant informed this operation necessary because of unusual con- gestion of vehicular traffic. Closed. Ill founded.
5043, Stone I. R. T. Co.	Inadequate summer ser- vice in the subway.	Complainant informed service in sub- way under general investigation. Closed.
5044, Martin L. I. RR. Co.	Overcrowding on train between Cutchogue and Brooklyn.	Complainant informed that service within city was being given atten- tion in connection with the tunnel service about to be commenced, but that inter-district service on this line was subject to jurisdiction of Public Service Commission for Sec- ond District. Closed.
5045, McKee B. H. RR. Co.	Flat wheels on Lori- mer Street line.	Investigation revealed but one in- stance of flat wheels; new wheels being generally installed. Com- plainant so informed. Closed.
5046, Arverne Protec- tive Assn. L. I. RR. Co.	Dangerous station ar- rangement at Arverne, Rockaway Beach Divi- sion.	Complainant informed new station to be built at this point; pending its construction no further action is deemed advisable by Commission.
5047, Stern N. Y. C. & H. R. RR. Co.	Protest against neces- sity of purchasing 5c. local ticket in order to be permitted on 125th St station plat- form	Complainant informed that in view of proximity of adequate waiting room practice of company was rea- sonable. Closed. Ill founded.
5048, Hendrickson ... I. R. T. Co.	Obstructions to egress at the Desbrosses St. station of the 9th Ave. el.	Taken up with company which re- moved obstructing bulkhead at bot- tom landing. Satisfied.
5049, Nettle N. E. RR. Co. C. I. & Gravesend Ry. Co.	Request change of transfers between Sea Gate and Ocean Ave. line.	Complainant asked in effect 5-cent fare to Coney Island. No traffic de- mand normally for transfers at this point. Acknowledged. Closed. Ill founded.
5050, Hyde Met. St. Ry. Co.	Delay caused by P-A-Y-E cars at E. 34th St. Ferry.	See disposition of C-5009.
5051, Taxp. Imp. Assn. of Windsor Terrace. Jorgensen <i>et al.</i> So. Bk. Ry. Co.	Failure of cars to stop at Seeley St. and Gravesend Ave.	Satisfied by arrangement to stop cars on signal.
5052, Moran L. I. RR. Co.	Refusal to accept local ticket for part value on Atlantic Division expresses.	Taken up with company which ar- ranged to redeem ticket at Flatbush Avenue terminal.
5053, Bolduan 5th Ave. Coach Co.	Motors running idle while cars were at stand at 129th St. and Riverside Drive.	Satisfied by action of company in dis- continuing unnecessary stand time.
5054, Huck I. R. T. Co.	Failure of train marked "Brooklyn" to con- tinue beyond Bowling Green in subway.	Taken up with company which ex- plained that shuttle service was be- ing operated because of necessary repair work in one of the tubes. Closed.
5055, "Pro Bono Publico." Met. St. Ry. Co.	Irregular destinations and inadequate service on 14th St. line.	Investigation showed service reason- ably adequate. Closed. Ill founded.
5056, West Bronx Prop. Owners Assn. N. Y. C. Int. Ry. Co.	Poor condition of track at Aqueduct Ave. and Grant Place.	Complainant informed repairs to track in this vicinity awaited action by city authorities as to street grades. Closed.
5057, Jonah Bowling Club. Union Ry. Co.	Request service after midnight on West- chester Ave. line to Clesson Point.	Investigation showed 10-minute head- way up to 1:30 a. m., and practically no traffic after the last trip at 1:50 a. m. Closed. Ill founded.
5058, Murphy All steam railroads.	Request location of dis- tance signs for all grade crossings.	Explained to complainant such signs would be off railroad right of way and consequently out of jurisdiction of Public Service Commission.
5059, Hausmann L. I. RR. Co.	Overcrowding on train with empty cars left standing at Flatbush Ave. station.	Taken up with company which made satisfactory answer to complainant.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 501

File No., name of complainant and company complained against.	Subject.	Disposition.
5060, DeLevante P. Pk. & City Island RR. Co.	Overcrowding on Monday morning service.	Taken up with company which made satisfactory answer to complainant.
5061, Molony N. E. RR. Co.	Refusal of conductor on Bergen St. line to accept transfer from Flatbush Ave. line.	Complainant informed companies within their legal rights. Closed. Ill founded.
5062, Curry Third Ave. RR. Co.	"Car ahead" at 42d St. and Third Ave. Profanity of motorman.	Taken up with company which explained that "car ahead" operation was necessary because of blockade; that it would severely discipline profane motormen. Closed.
5033, Houghland B. H. RR. Co.	Defective rail joint in front of premises on Manhattan Ave.	Taken up with company which satisfied complaint by repairing joints.
5064, Manning Met. St. Ry. Co.	Overcrowding on 34th St. Crosstown line; slow boarding, and method for facilitating same.	Traffic conditions on 34th Street Crosstown line with regard to operation of P-A-Y-E cars explained to complainant. Closed.
5065, Skelley N. Y. & Q. Co. Ry. Co.	Bad trackage on Ludlow Ave. between Whitney Ave. and Third Ave.	Taken up with company which made satisfactory repairs or renewed rails.
5066, Rogers 5th Ave. Coach Co.	Noisy operation along Riverside Drive.	Complainant informed company gradually installing less noisy type of stage. Closed.
5067, Braley I. R. T. Co.	Delays and poor service on Broadway branch of subway between 96th St. and 137th St.	See disposition of C-3964.
5068, Reynolds Southfield Beach RR. Co.	Alleged oiling of bridge to prevent passage by pedestrians in order to compel patronage of boats.	Complainant informed bridge under jurisdiction of bridge department and tracks crossing it on private right of way. Closed.
5069, Medinger Third Ave. RR. Co.	Long headways on 3d Ave. line to Fort George. Instance of delay.	Taken up with company which made satisfactory answer to complainant.
5070, McDonald N. E. RR. Co.	Extra fare charged for pulling register cord by mistake for bell cord on 5th Ave. car.	Investigated and taken up with company. Isolated case. No further action deemed necessary.
5071, Wright Sons... L. I. RR. Co.	Alleged discrimination in shipping manure at Auburndale, North Side Division.	Incident investigated and explained to complainant. No further action warranted.
5072, Stevenson Ocean Elec. Ry. Co.	Filthy condition of toilets at Hammels. Poor service between Hammels and Far Rockaway.	Investigated and taken up with company which arranged to clean station toilets. Service apparently adequate. No further action deemed necessary.
5073, O'Connor B. U. El. RR. Co.	Poor handling of traffic at 5th Ave.-Bay Ridge platform, Park Row terminal.	Complainant informed maximum number of stops made at this platform and other conditions complained of unavoidable. Closed.
5074, Home Title Ins. Co. Coney Island & Bk. RR. Co. B. H. RR. Co.	Noisy crossing at Wiloughby and Jay Sts.	Taken up with companies and tracks properly repaired. Satisfied.
5075, Kato N. Y. & Q. Co. Ry. Co.	Dangerous lay-out near "Pleasure Grounds," North Beach, etc.	Investigation showed no conditions warranting exercise of jurisdiction by the Public Service Commission.
5076, Shaughnessy .. 42d St. M. & St. N. Ave. Ry. Co.	Noisy cross-over on Broadway near 116th St.	Taken up with company which explained cross-over would be reset as soon as men were available. Satisfied.
5077, Goldman L. I. RR. Co.	Dangerous condition at Gaston Ave. station; unprotected third rail.	Investigated and taken up with company. Later inspections showed third rail protection in good condition. New station to be built. Complainant so informed. Satisfied.
5078, Kimball N. Y., N. H. & H. RR. Co.	Long walk to reach suburban trains at Grand Central terminal.	Taken up with company which made satisfactory answer to complainant.

502 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
5079, Arnold I. R. T. Co.	Unprotected station platforms in subway.	Complainant informed matter being given considerable attention, but no satisfactory system of platform protection yet produced. Closed.
5080, Allen I. R. T. Co.	Inadequate ticket selling facilities at Freeman St. station, Lenox Ave. subway.	Taken up with company which arranged to furnish an extra ticket seller as needed. Satisfied.
5081, Bedell S. I. R. T. Ry. Co.	Unjust commutation regulation between Huguenot Park and Perth Amboy.	Investigation showed matter a question of inter-state rates. Closed; no jurisdiction.
5082, Belle Harbor Property O. Assn. Ocean Elec. Ry. Co.	Dangerous overhead wires at Belle Harbor.	On failure of complainant to indicate specific dangers as requested; complaint was closed in default.
5083, Dickenson N. Y. & Q. Co. Ry. Co.	Noisy operation at Sandford and Jamaica Aves.	Investigated and taken up with company which satisfied complaint by repairing tracks.
5084, Smith N. Y. & Q. Co. Ry. Co.	Inadequate service, and insufficient and poor equipment on College Point line.	Investigated and taken up with company formally in Case No. 1233; new cars ordered and put into service. Satisfied.
5085, Rockliffe N. Y. & Q. Co. Ry. Co.	Poor service and irregular headway on Flushing and College Point lines at New York end of Queensboro Bridge, 5 to 7 p. m.	Investigated and taken up with company; installed additional service on Jackson avenue between Louona park and New York.
5086, Campbell N. E. RR. Co.	Noise of freight car passing through Vanerbilt Ave. about 10:30 p. m.	Investigation showed minor detail of structure of freight car needed replacement, and was replaced. System of car overhauling explained to complainant. Closed.
5087, Richman B. U. El. RR. Co.	Height of step at Bath Beach station, West End line, a cause of injury.	Investigation showed sufficient length of platform requiring shorter "step-up." Complainant so informed. Closed. Ill founded.
5088, Hyde I. R. T. Co.	Operation of 3-car trains only on el. lines between 8 and 10 p. m.	Investigation showed the complaint ill founded. Closed.
5089, Shaw I. R. T. Co.	Unclean straps in subway cars.	Complainant informed straps periodically treated antiseptically; white enameled holders being installed as fast as practicable. Closed.
5090, Evans L. I. RR. Co.	Alleged delay to operation due to P. S. C. order in Case 1192, requesting platforms and gates to be closed between stations and trains to be adequately manned.	Investigation showed delays only when platforms were inadequately manned to operate gates and trap doors. Taken up with company in conference and improvement in manning cars made. Satisfied.
5091, Jacobs C. I. & B. RR. Co.	Turning back of Franklin Ave. cars marked "Coney Island" at Park Circle.	Taken up with company which made satisfactory answer to complainant. Satisfied.
5092, Brower I. R. T. Co.	Instances of overcrowded trains on northbound subway service Saturday and Sunday nights.	Taken up with company which made satisfactory answer to complainant. See also disposition of C-4156.
5093, Nolan Met. St. Ry. Co.	Lack of shades behind motormen on Lexington Ave. cars.	Taken up with company which stated that owing to streets being well lighted, lack of shades was not a hindrance to vision of motormen. Closed.
5094, Small L. I. RR. Co.	Soft coal burning on all trains of Fort Washington branch in violation of ordinances, etc.	Investigation showed no ordinances affecting burning of soft coal on this division. Complainant so informed. Closed. Ill founded.
5095, Holmes N. Y. & Q. Co. Ry. Co.	Instances of long delay on Corona line.	Taken up with company which made satisfactory answer to complainant.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 503

File No., name of complainant and company complained against.	Subject.	Disposition.
5096, Hatch L. I. RR. Co.	Alleged delay to operation and annoyances to passengers due to P. S. C. order in Case 1192 requesting platforms and gates to be closed between stations and trains to be adequately manned.	See disposition of C-5090.
5037, Ripsom L. I. RR. Co.	Dangerous crossing at Cathedral Ave., Hempstead.	Complainant informed this crossing in jurisdiction of Public Service Commission for the Second District.
5098, Queen Civic League. N. Y. & L. I. Tr. Co.	Request that company obey requirements of franchise and lay dust on Jericho Turnpike.	Taken up with company which made satisfactory answer to complainant.
5039, Jamaica Cit. Assn. L. I. RR. Co.	Protest against 5c. fare charge to New East River Tunnel.	Complainant informed franchise did not deny or restrict rate making by company. Closed. Ill founded.
5100, Queens Civic League. L. I. RR. Co.	Alleged dangerous operation due to P. S. C. order in Case 1192 requesting platforms and gates to be closed between stations and trains to be adequately manned.	Order made in the interest of public safety and subsequent accident records showed it amply justified. See also disposition of C-5090.
5101, Timpson L. I. RR. Co.	Alleged dangerous operation and annoyance to passengers due to P. S. C. order in Case 1192 requesting platforms and gates to be closed between stations and trains to be adequately manned.	See disposition of C-5100.
5102, Hill So. Bk. Ry. Co.	Noisy and unsafe crossing at Neptune Ave., Culver line.	Investigated and taken up with company which installed new crossing and flagman. Satisfied.
5103, Hoyt Met. St. Ry. Co.	Alleged accident to complainant due to carelessness of motorman on Broadway car.	Accident investigated but as matter was being taken up for adjustment by railway claim department no further action was deemed advisable.
5104, Bernard I. R. T. Co.	Unsanitary condition of seats on platforms of elevated stations.	Investigated and taken up with company which agreed to have better attention given the settees in the future. Closed as satisfied.
5105, Bender L. I. RR. Co.	Dangerous conditions at Madison Ave. grade crossing, Montauk Division.	Taken up with company which arranged to have uniformed patrolmen at the crossing during certain hours to protect school children.
5106, Raisler L. I. RR. Co.	Inadequate service between 5 and 6:30 p. m. between Flatbush Ave. and Far Rockaway.	Investigated and taken up with company and subsequent inspections showed no overloads. Complainant informed. Closed.
5107, Jones S. I. Midland Ry. Co.	"Car ahead" on Stapleton, Concord and Port Richmond lines.	Satisfied by explanation of company that action was necessary as a result of a derailment.
5108, Salant N. E. RR. Co.	Overcrowding and long headways on Ralph-Rockaway line.	Complainant informed service on this line a matter of constant inspection during the change-over to closed cars, and such action would be taken from time to time as was necessary. Closed.
5109, Burbanck S. I. Midland Ry. Co.	Alleged favoritism in passing friends of employees ahead of would-be passengers at Midland Beach terminal.	Taken up with company which denied allegations. Complainant excepted. In view of fact that season had just ended no further action was deemed advisable.
5110, Wemple I. R. T. Co.	Short trains and inadequate service on Broadway branch of subway on Sundays.	See disposition of C-4156. Progress and probable results of station lengthening explained to complainant.

504 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
5111, Doremus I. R. T. Co.	Instance of failure to open side door at Bowling Green.	Explained to complainant that door was temporarily out of order and could not be used. After repeated exception by complainant the complaint was closed. Ill founded.
5112, Carling 2d Ave. RR. Co.	Flat wheels and loose gears on 2d Ave. line.	Taken up with company which made satisfactory explanation to complainant.
5113, Boro Storage Co. B. U. El. RR. Co.	Noisy operation in vicinity of Adams St. station.	Explained to complainant noise was necessary result of heavy train movement; could not be diminished without expenditure out of proportion to benefits derived. Closed.
5114, Klein I. R. T. Co.	Inadequate downtown train service on 9th Ave. el. at 42d St. during non-rush hours.	Investigation showed service generally adequate during period mentioned. Closed. Ill founded.
5115, Dunton L. I. RR. Co.	Protest against removal of Dunton station building, Atlantic Division.	Complainant informed removal of building was to make place for new construction. Satisfied.
5116, Gier Union Ry. Co.	Irregular departure of cars of Jerome Ave. line from Central Bridge during rush hours.	Investigation showed headway fairly regular, interruptions being due to track repairing operations. Complainant so informed. Closed.
5117, Stone N. Y. & Q. Co. Ry. Co.	Noisy operation at Jamaica and Sanford Aves.	See disposition of C-5083.
5118, Connolly Met. St. Ry. Co.	Inadequate service on Columbus Ave. at 66th St. during non-rush hours.	Investigation showed service ample and generally on short headway. Closed. Ill founded.
5119, Farmers' & Taxp. Assn. L. I. RR. Co.	Request change of grade operation on North Shore Division at Auburndale be carefully watched to avoid injury to that section.	Complainant informed situation would be watched carefully by Transportation Department of Commission. Closed.
5120, Kunz I. R. T. Co.	Request company be compelled to give reduced fare for standing room only.	Acknowledged and closed as ill founded.
5121, Burkitt <i>et al.</i> .. B. H. RR. Co.	Noise due to switch or branch-off on Coney Island at Cortelyou Road.	Investigation showed branch-off property of Brooklyn Heights Company which removed the same. Satisfied.
5122, Benenthal I. R. T. Co.	Alleged premature starting of train, bell signal not having been passed. Emergency rope out of order.	Investigation showed guard midway along train at fault, but no evidence of emergency being out of order. Guard at fault suspended. Complainant informed. Satisfied.
5123, Sherman S. I. Ry. Co.	Instance of failure of train to arrive on time at St. George terminal.	Taken up with company which made satisfactory answer to complainant.
5124, N. Y., N. H. & H. RR. Co. Westchester Lighting Co.	Disagreement over changing arrangement of poles and wires at Baychester.	Complainant informed matter subject to jurisdiction of city authorities giving original permit to set poles.
5125, Eskirche N. E. RR. Co.	Inadequate service on Park Ave. line Sundays and holidays. Failure to operate across bridge during non-rush hours.	Explained to complainant that cars were not operated across bridge during non-rush hours because of insufficient traffic demand and that service appeared to be reasonable on Sundays and holidays. Closed. Ill founded.
5126, Bridgman S. I. Ry. Co.	General complaint of inadequate facilities and improper operation between Clifton and St. George.	Complainant informed that insufficient evidence was ascertained by investigation to warrant action by the Commission.
5127, Queens Co. Bd. of Trade. L. I. RR. Co.	Discontinuance of direct service between Long Island City and Far Rockaway.	Investigated and taken up with company which increased service between Long Island City and Far Rockaway. Satisfied.

File No., name of complainant and company complained against.	Subject.	Disposition.
5128, Reiter B. U. El. RR. Co. L. I. RR. Co.	Early discontinuance of joint service between Delancey St. and Rockaway Beach.	Complainant informed that because of the lateness of the season no action by the Commission was deemed advisable.
5129, Young I. R. T. Co.	Failure to announce stations to be skipped; insolence of agent at Bleecker St. station, 6th Ave. el.	Taken up with company which made satisfactory answer to complainant.
5130, Oswald I. R. T. Co.	Crawling movement of trains southbound on 3d Ave. line between 47th St. and 34th St. in morning rush.	Complainant informed that because of number of trains necessary to handling of traffic and limitations of tracks, no definite remedial action could be taken until reconstruction of elevated lines was determined upon. Closed.
5131, Morris Pk. Texp. Assn. I. R. T. Co.	Request additional stairway at 177th St. station, West Farms subway.	Investigation showed existing facilities at this station adequate. Closed. Ill founded.
5132, Caswell N. E. RR. Co.	Noise of cars, etc., on Ocean Ave. before complainant's residence.	Investigation showed no unusual track conditions existing. Other matters complained of referred to proper jurisdictions. Closed.
5133, McCord L. I. RR. Co.	Failure of tunnel trains from 33d St. to connect with trains from Long Island City.	Investigated; company made considerable additions to schedules and improved service in respect complained of. Satisfied.
5134, St. Albans Imp. Assn. L. I. RR. Co.	Discontinuance of Montauk Division train making stop at St. Albans.	Investigated and taken up formally with company in Case 1293. Ordered that additional train stop be made at St. Albans. Satisfied.
5135, Kronold Met. St. Ry. Co.	Protest against time limit placed on transfers.	Explained to complainant that this was clearly within the law and did not seem unreasonable. Closed. Ill founded.
5136, Brockway I. R. T. Co.	Instance of insolence and incompetency of guard on 9th Ave. el. train.	Taken up with company which made satisfactory answer to complainant.
5137, Shaffer I. R. T. Co.	Delays in Broadway subway between 103d and 96th Sts. Non-use of seats opposite side doors in operation.	See disposition of C-2964. Danger of use of door seats where station stops are made on both sides of train explained to complainant. Closed.
5138, Rockaway Pk. Cit. Assn. L. I. RR. Co.	Poor service between Flatbush Ave. and Rockaway during rush hours.	Investigation showed service reasonably adequate. Closed. Ill founded.
5139, Kahan & Gallagher. B. R. T. Co.	Noise due to condition of rails on certain curves, Williamsburg Plaza.	Taken up with company which arranged regular system of frequent greasing of curves. Satisfied.
5140, Commonwealth Ind. Social Club. I. R. T. Co.	Request operation of escalator at 177th St. before 7 a. m.	Taken up with company which arranged to commence elevator operation at 6 a. m. Satisfied.
5141, Commonwealth Ind. Social Club. Union Ry. Co.	Request removal of switch at Walker and Morris Park Aves.	Taken up with company which removed switch. Satisfied.
5142, Schliesman ... B. U. El. RR. Co.	Lack of benches on up-town Grand Ave. station platform, Fulton St. el.	Taken up with company which placed additional benches at this station. Satisfied.
5143, Wilkins L. I. RR. Co.	Local ticket refused on express from Jamaica to Flatbush Ave. and cash fare collected.	See disposition of C-5052.
5145, Saunders S. I. Ry. Co.	Inadequate service on Silver Lake line.	Investigation showed capacity of line could be increased only by additional turnouts, etc. Taken up with company which installed additional special work. Satisfied.
5146, Andrews I. R. T. Co.	Toilets at 23d St., 28th St. and 33d St. subway stations closed or out of order.	Taken up with company which made satisfactory detailed explanation to complainant.

506 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
5147, Jacobs & Sons. L. I. RR. Co.	Inadequate service under new schedule between Far Rockaway and Long Island City.	See disposition of C-5127.
5148, Levy L. I. RR. Co.	Inadequate service under new schedule between Far Rockaway and Long Island City.	See disposition of C-5127.
5149, Brown Bros. et al. L. I. RR. Co.	Protest against closing of Division St. crossing, Atlantic Division.	Acknowledged and closed without further action, pending determination of final plans of general nature covering railroad improvements in this vicinity.
5150, VanSicklen L. I. RR. Co.	Protest against closing of Division St. crossing, Atlantic Division.	See disposition of C-5149.
5152, Struss L. I. RR. Co.	Discontinuance of through service from Arverne to Long Island City; refusal to accept mileage in Pennsylvania tunnel.	See disposition of C-5127. Positive instructions given to conductors to accept mileage between Woodside and Pennsylvania tunnel. Satisfied.
5153, Kellogg Westchester Elec. RR. Co.	"Car ahead" on Larchmont-17th St. line at Mount Vernon.	Investigation showed jurisdiction properly that of Public Service Commission for Second District. Complainant so informed.
5154, Doubleday, Page & Co. I. R. T. Co.	Slow operation of 3d Ave. trains southbound from 42d St. in morning rush hours.	See disposition of C-5130.
5155, Davis 42d St. M. & St. N. Ave. Ry. Co.	Refusal of Broadway-10th Ave. conductor to accept transfer from 6th and Amsterdam Ave. line.	Detailed explanation made to complainant of condition involved and of attitude of courts on similar matter. Closed.
5156, Keenan N. Y. & Q. Co. Ry. Co.	Overcrowding and long headway on Flushing and College Point lines leaving Queensboro bridge.	See disposition of C-5085.
5157, Reid I. R. T. Co.	Slow movement of 3d Ave. expresses southbound from 42d St. to Chatham Square in a. m. rush hours.	See disposition of C-5130.
5158, Goodridge N. Y. & Q. Co. Ry. Co.	Noisy operation at Jamaica and Sanford Aves.	See disposition of C-5083.
5159, Johnson I. R. T. Co.	Filthy condition of cars in subway.	Taken up with company which explained arrangement pertaining to matters complained of. See also disposition of C-4229.
5160, Cleveland L. I. RR. Co.	General complaint of tunnel service.	Complainant informed existing schedules were only tentative; improvement would be made as soon as practicable. Closed.
5161, Larkin I. R. T. Co.	Alleged elimination of train from subway schedule, leaving Atlantic Ave. station.	Investigation showed complainant in error and service fully adequate at the time complained of. Closed. Ill founded.
5163, Haire L. I. RR. Co.	Delays to street traffic at Rockaway Road and Division St. crossings, Atlantic Division.	Complainant informed of plans to eliminate these crossings. See also disposition of C-5149.
5164, Kraft B. U. El. RR. Co.	Alleged decrease in service on Broadway line after 7:50 a. m.	Investigation showed complainant in error and service reasonably adequate. Closed. Ill founded.
5166, Swift I. R. T. Co.	Inadequate subway service southbound during non-rush hours.	See disposition of C-4156.
5167, Bradley B. H. RR. Co.	Long headways on Flatbush Ave. line at Manhattan end of Brooklyn Bridge and delays at Nostrand Ave.	Investigation showed service over bridge generally adequate, considering operating limits on tracks. Company employees instructed to be careful and eliminate delays at Nostrand avenue. Complainant so informed. Closed.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 507

File No., name of complainant and company complained against.	Subject.	Disposition.
5168, Knight I. R. T. Co.	Instance of "near-accident" due to lack of guards for side doors in subway trains.	Complainant informed of automatic safety devices in connection with side doors. On failure to give date and time of incident as requested complaint was closed in default.
5169, Booth N. E. RR. Co.	Inadequate service during p. m. rush hours on Church Ave. line.	Investigated and taken up with company which established new schedule, adding two trips per half hour. Satisfied.
5170, Cook L. I. RR. Co.	Request an additional train stop at Lynbrook, Far Rockaway Division.	Taken up with company which arranged for an additional stop at this station. Satisfied.
5171, Danler B. U. El. RR. Co.	Failure of trains of Broadway & Fulton St. lines to make close connections at Atlantic Ave.	Investigation showed change in present arrangement would not be justified. Detailed report made to complainant. Satisfied.
5172, Met. Ave. Bd. of Trade. L. I. RR. Co.	Request elimination of grade crossing at Bushwick Junction, Montauk Division.	Investigation showed complaint justified. Taken up formally in Case 1261; no decision reached before January 1, 1911.
5173, Mahoney I. R. T. Co.	Occupation of seats on 3d Ave. el. trains around 3:20 p. m. by police officers to the exclusion of fare passengers.	Explained to complainant that this was a matter for the attention of the police commissioner. Closed.
5174, Keller I. R. T. Co.	Slow movement of trains on 3d Ave. el. during a. m. rush hours between 166th St. and 42d St., southbound.	See disposition of C-5130. Efforts to secure smoother operation at 42d street attended with some success as noted by complainant.
5175, McLean I. R. T. Co.	Slow southbound movement of Third Ave. el. trains during a. m. rush hours.	See disposition of C-5174.
5176, Beal N. E. RR. Co.	Maintenance of tracks, overhang of car bodies, etc., on Ocean Ave.	Investigated as to franchise right, etc. Complainant informed company agreed to maintain tracks in best possible condition and grease curves. Closed.
5178, Kennedy N. Y. & Q. Co. Ry. Co.	Unfair distribution of cars on loops at Manhattan end of Queensboro Bridge.	Covered by formal proceedings in Case 1233 during the course of which company agreed to and did furnish new cars and additional service, effecting better distribution of cars at Manhattan end of Queensboro bridge.
5179, Stern L. I. RR. Co.	Dangerous grade crossing at Douglaston.	Investigation showed flagman at crossing but complaint amply justified. Complainant informed this crossing would be added to list for formal proceedings to secure additional protection. Satisfied.
5180, Tench L. I. RR. Co.	Dangerous grade crossing at Douglaston.	See disposition of C-5179.
5181, Edgar & Curtis Met. St. Ry. Co.	Noisy operation at 34th St. and Lexington Ave.	Taken up with company which made repairs or renewed rails. Satisfied.
5182, Maguire B. U. El. RR. Co.	Cutting off cars at Kings Highway, Brighton Beach line.	Investigation showed reasonable accommodations made for continuing passengers and shortening of trains necessary to accommodate traffic north of Kings Highway. Closed. Ill founded.
5183, Ascheim L. I. RR. Co.	Inadequate service between Long Island City and Far Rockaway.	See disposition of C-5127.
5184, Watson L. I. RR. Co.	Poor connections at Woodside between North Shore Div. and tube trains.	Taken up with company which made satisfactory answer to complainant.
5186, Nevin So. Shore Traction Co.	Alleged failure of company to carry out terms of franchise in not constructing through Central Ave., St. Albans, within certain time.	Handled by Franchise Bureau which informed complainant of existing legal status of the matter. Closed.

508 PUBLIC SERVICE COMMISSION—FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
5187, Ripson L. I. RR. Co.	Alleged excess fare between Woodside and Pennsylvania station.	Investigation showed that the fare charged was not extra or in excess, but for a different and longer route. Complainant so informed. Closed. Ill founded.
5188, Tiebout N. E. RR. Co.	Noisy operation along Vanderbilt-9th and other lines.	Investigated and taken up with company. Subsequent inspection showed flat-wheeled cars removed and tracks in process of repair. No further action deemed necessary in view of efforts made by company to satisfy complaint.
5189, Willbrand Met. St. Ry. Co.	Inadequate service to Christopher St. Ferry via 8th St. Crosstown line.	Investigation showed service generally ample. Closed. Ill founded.
5190, Potter Met. St. Ry. Co.	Noisy operation of cars in vicinity of 7th Ave. and 55th St.	Taken up with company which made satisfactory answer to complainant.
5191, So. Bronx Prop. O. Assn. Union Ry. Co.	Noisy operation at St. Anns Ave and 138th St.	Taken up with company which satisfied complaint by repairing special work.
5192, Purdy <i>et al.</i> L. I. RR. Co.	Inconvenient and dilapidated facilities at Beaver St. station. Number of stops at Lynbrook, Montauk Division, decreased.	Investigated and taken up with company which made temporary repairs at Beaver Street station and increased number of train stops at Lynbrook. Satisfied.
5193, Berns and Jenet. Ocean Elec. Ry. Co.	General condition of service, etc. between Far Rockaway and Hammels.	Investigation showed complaint generally ill founded, but employees were cautioned to observe fire stops.
5194, Langan N. Y., N. H. & H. RR. Co.	Inadequate shelter and filthy toilets at Baychester station.	Investigation showed waiting room in good condition and toilets reasonably clean. New station to be erected at this point. Closed. Ill founded.
5195, Franklin Met. St. Ry. Co.	Long headway north of Canal St. on 6th and Amsterdam Ave. line.	Investigation showed service adequate, but some interference in headway due to congestion in vehicular traffic. Complainant so informed. Closed.
5197, Patten B. R. T. Co.	Protest against transfer system to be inaugurated Oct. 15, 1910.	Covered by formal proceedings in Case 1275 instituted subsequent to October 15, 1910.
5198, Quick I. R. T. Co.	Request rearrangement of exit and entrance facilities at Bowling Green subway station.	Investigation showed existing arrangement good. Closed. Ill founded.
5199, Winkler I. R. T. Co.	Overcrowded stations and long headways in local service in subway.	See disposition of C-4164.
5200, Cantillon Union Ry. Co.	Alleged reduction of service on all lines of from 3 to 5 cars.	Investigation showed service entirely adequate. Closed. Ill founded.
5202, Prop. Owners' Prot. Assn. I. R. T. Co.	Request that escalator service at West Farms station of the subway be started earlier.	Taken up with company which arranged to start the elevator one hour earlier. Satisfied.
5203, Flushing Pk. Civic Assn. N. Y. & Q. Co. Ry. Co.	Irregular headway and poor equipment on Flushing-Jamaica line.	Investigation showed complaint ill founded. Covered, however, by formal proceedings in Case 1233.
5204, 28th Ward Taxp. Assn. Met. St. Ry. Co.	Inadequate service on 4th Ave. and Williamsburg Bridge line across Williamsburg Bridge.	Previously investigated and taken up with company, which arranged to instal extra cables to provide power for more service. Satisfied.
5205, Schlusssel I. R. T. Co.	Alleged headway during rush hours in subway of 2½ to 3½ minutes. General poor service.	Complainant informed existing headway during rush hours was 1 min. 48 sec., and that the total capacity would be increased approximately 20 per cent by the lengthening of platforms and trains. Closed.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 509

File No., name of complainant and company complained against.	Subject.	Disposition.
5206, Burch I. R. T. Co.	Annoyances in shuttle service between 50th and 58th Sts., 6th Ave. el.	Covered by formal proceedings in Case 1306, not concluded Jan. 1, 1911.
5207, Fridenberg .. 42d St. M. & St. N. Ave. Ry. Co. <i>et al.</i>	Inadequate service on 10th Ave. branch; dilapidated cars on 59th St. Crosstown line, etc.	Investigated and taken up with company. Subsequent inspections showed service increase of approximately 20 per cent and cars being overhauled and painted as rapidly as practicable. Satisfied. See disposition of C-5187.
5208, Oliver L. I. RR. Co.	Alleged excess fare between Woodside and the Pennsylvania terminal.	
5209, Loth B. U. El. RR. Co. <i>et al.</i>	Use of summer cars and poor ventilation on West End, Sea Beach and Culver lines.	Covered by formal proceedings in Case 1236, not concluded Jan. 1, 1911.
5210, Rothschild L. I. RR. Co.	Lack of shelter at Woodside station.	Investigated and taken up with company, which constructed new train sheds and waiting rooms. Satisfied.
5211, Foster L. I. RR. Co. L. I. Express	General complaint of bad conditions in and about office at Far Rockaway.	On failure of complainant to make specific complaint as requested matter was closed in default.
5212, Schlesinger I. R. T. Co.	Inadequate service on Broadway subway above 137th St. and need for 6th Ave. express service.	See disposition of C-3964. Suggestion to operate 6th Ave. expresses impracticable because of close train movement.
5213, Topham Met. St. Ry. Co.	Alleged turning back of 95 per cent. of cars of 4th and Madison Ave. line at Astor Place.	Investigation showed complaint exaggerated and adequate through service to Brooklyn Bridge. Closed. Ill founded.
5214, University Settlement Society. I. R. T. Co.	Inadequate station facilities at Rivington St., 2d Ave. el.	See disposition of C-4236.
5215, Gardner L. I. RR. Co.	Overcrowding of Queens local from Flatbush Ave.	Taken up with company by complainant. On failure of complainant to acquaint Commission with answer of company, complaint was closed in default.
5216, Rosenfeld I. R. T. Co.	Failure of East Side elevated trains to wait for transfer passengers from West Side elevated trains at South Ferry.	Taken up with company, which made satisfactory answer to complainant.
5217, Reese N. E. RR. Co.	Noisy special work at Marcy Ave. and Broadway.	Taken up with company, which arranged to make necessary repairs to rails. Satisfied.
5219, Lefferts Pk. Imp. League. B. U. El. RR. Co.	Poor ventilation in convertible cars.	See disposition of C-5209.
5221, Bryan S. I. Ry. Co.	Request continuance of late Sunday night train from Tottenville cut off of winter schedule.	Taken up with company, which agreed to run a late train as desired. Satisfied.
5222, Leidel N. Y. & L. I. Tr. Co.	New trousers torn by protruding nail in Brooklyn-Mineola car. Wanted damages.	No action deemed necessary as matter was one for adjustment with claim department of company.
5223, Thorn B. U. El. RR. Co. <i>et al.</i>	General complaint of various conditions.	Acknowledged and closed without further action.
5225, Berendsohn ... N. E. RR. Co. B. H. RR. Co.	Refusal of conductor on 39th St.-Coney Island car to accept transfers from Bay Ridge Ave. line.	Explained to complainant two different operating companies involved not legally obliged to exchange transfers; no traffic demand for transfers to justify an order by Commission. Closed. Ill founded.
5226, Scheninger I. R. T. Co.	Slow running time on 3d Ave. el. between 149th St. and City Hall.	See disposition of C-5130.
5227, Gunsten B. U. El. RR. Co.	Poor ventilation in convertible cars.	See disposition of C-5209.

510 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
5228, Dixon N. E. RR. Co.	Inadequate service on St. John's Place line.	See disposition of C-4199.
5231, Schmidling <i>et al.</i> B. H. RR. Co. N. E. RR. Co.	Noisy crossing at Halsey St. and Central Ave.	Investigated and taken up with company, which made temporary repairs. Cross-over to be relaid following spring. Closed pending fulfillment of company's arrangement.
5232, Klein, Jr. B. R. T. Co.	General complaint against proposed rearrangement of transfer system.	Covered by formal proceedings in Case 1275.
5234, Johnstone Met. St. Ry. Co.	Noisy special work on 7th Ave. between 50th and 51st Sts.	Investigated and taken up with company, which made necessary repairs. Satisfied.
5235, Gilmour 5th Ave. Coach Co.	Turning back of bus. on Riverside Drive at Grant's Tomb.	Taken up with company, which made satisfactory explanation and refunded fares to complainant.
5236, Parker B. H. RR. Co.	General complaint of noisy operation of Nostrand Ave. cars at night.	Acknowledged and closed without further action.
5237, Cosgrove N. Y., N. H. & H. RR. Co.	Inadequate station facilities and filthy toilet at Baychester, Harlem River branch.	See disposition of C-5194.
5239, Peatt Met. St. Ry. Co.	Turning back of 8th Ave. cars marked "Central Bridge" at 145th St. mornings.	Investigated and taken up with company, which gave assurance that there would be no more cause for this kind of complaint. Satisfied.
5240, Clark N. Y., N. H. & H. RR. Co.	Alleged excess mileage on Harlem River branch between New Rochelle and Grand Central station.	Taken up with company, which made satisfactory explanation. Closed. Ill founded.
5241, Kerr I. R. T. Co.	Too few South Ferry and too many City Hall trains operated on Third Ave. el. lines.	Investigation showed service properly divided. Closed. Ill founded.
5242, DuFour B. U. El. RR. Co.	Discontinuance of Saratoga Ave. as an express stop.	Taken up with company, which made satisfactory answer to complainant.
5243, Repper N. E. RR. Co.	Protest against rerouting of Marcy Ave. line.	Investigation showed rerouting an improvement. Closed. Ill founded.
5245, Dept. of Health B. U. El. RR. Co.	Poor ventilation in convertible cars.	See disposition of C-5209.
5246, Haynes N. Y. C. & H. R. RR. Co.	Insufficient lighting and unclean platforms at temporary station, Grand Central.	Investigation showed lighting sufficient and platforms periodically cleaned. Closed. Ill founded.
5247, Merritt N. E. RR. Co.	Turning back of cars on St. John's Place line at Kingston Ave.	See disposition of C-4199.
5248, Gilman I. R. T. Co.	Inadequate lighting of subway cars and blasting in vicinity of 181st St. subway station.	Investigated and taken up with company, which stated its intention to purchase and instal additional cables for power and lighting. Dangerous blasting not a subject for action by P. S. C. Complainant so informed. Closed.
5249, Fellows B. U. El. RR. Co.	Overcrowding on Fulton St. trains at Utica Ave.	Service on this line repeatedly investigated and changed until maximum capacity of tracks consistent with safety was reached west of Franklin Ave., records of traffic showed service evenly balanced for local and through traffic. Specific action not necessary in this instance.
5250, Konz N. Y. & Q. Co. Ry. Co.	Failure of cars on Calvary line to run through to Lutheran Cemetery on Sundays.	Taken up with company, which made satisfactory answer to complainant.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 511

File No., name of complainant and company complained against.	Subject.	Disposition.
5252, Townsend Rich. Lt. & RR. Co.	Apprehended discontinuance of service on South Beach line due to purposes of War Department.	Complainant informed that War Department would permit a 90-day extension for removal of tracks. Closed.
5253, Kraft I. R. T. Co.	Abrupt starting and stopping of subway trains.	Complainant informed company equipped all cars with rigid couplers and electro-pneumatic brakes to overcome trouble. No further action deemed necessary pending completion of installation of devices.
5254, Friedleben Union Ry. Co.	"Car ahead" on White Plains Ave. line; company employees declaring car out of order.	Not deemed a question of company practice requiring action by P. S. C. Complainant so informed. Closed. Ill founded.
5255, Elliott Met. St. Ry. Co.	Refusal of motorman to stop on signal on car of Lexington Avenue line.	Taken up with company, which replied such action necessary to avoid interference with schedule. Closed by consent of complainant.
5256, Dayton B. H. RR. Co.	Inadequate service and overcrowding on Greene and Gates Ave. line during rush hours.	Complainant informed traffic very heavy on this line, but additional service was provided by time table (issued later) somewhat improving service. Satisfied.
5257, Loewy B. U. El. RR. Co.	Lack of ventilation in convertible cars.	See disposition of C-5209.
5258, Greene N. Y. C. & H. R. RR. Co.	Failure to keep waiting room at 125th St. station open after midnight.	Taken up with company, which explained that owing to lack of traffic and the number of undesirables prowling about, station was closed after 1:11 a. m. Closed.
5259, Glover B. U. El. RR. Co.	Lack of ventilation in convertible cars.	See disposition of C-5209.
5260, Schaft-Regelman. N. Y. C. & H. R. RR. Co.	Failure of company to settle certain claims.	Referred to P. S. C. for 2d Dist. Closed; no jurisdiction.
5261, McComber B. R. T. Co.	General protest against proposed transfer re-arrangement.	Covered by formal proceedings in Case 1275.
5262, Eschurge Met. St. Ry. Co.	Long waits for Ave. C. cars at 23d St. and Ave. A.	Taken up with company, which made answer to complainant that schedule called for 10-min. headway. Closed.
5263, Stark Union Ry. Co.	Smoking on crowded rear platforms of Westchester Ave. cars.	Taken up with company, which made satisfactory answer to complainant.
5254, Sicord I. R. T. Co.	Request transfers from southbound 6th Ave. trains to northbound trains at 50th St.	See disposition of C-5206.
5265, Lippold B. H. RR. Co.	Long waits for cars of Flatbush Ave. line south of Nostrand Ave.	Taken up with company, which arranged to make a more satisfactory schedule. Satisfied.
5266, Dixon B. U. El. RR. Co.	Poor ventilation in convertible cars.	See disposition of C-5209.
5267, Whiting I. R. T. Co.	Inadequate service during non-rush hours 6th Ave. el.	Taken up with company, which improved headway and added cars to service. Satisfied.
5268, Best I. R. T. Co.	Side door accident in subway.	Taken up with company, which made satisfactory answer to complainant.
5269, Bigelow L. I. RR. Co.	Dangerous crossing at Thompson Ave.	Investigation showed that this crossing should await action at more dangerous crossings. Closed.
5270, Rice C. I. & Gravesend Ry. Co.	Refusal to transfer from Sea Gate line to shuttle line at Coney Island.	Investigation showed no serious traffic demand for this transfer exchange, which would permit many stop overs during summer season. Closed. Ill founded.
5271, Johnson I. R. T. Co.	Improper distribution of train service at 96th St., with resultant delays above that point to Broadway service.	Explanation of conditions involved made to complainant. See disposition of C-3964.

512 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
5272, Johnson N. E. RR. Co.	Refusal of conductor of St. John's Place car to accept yellow transfer from Fulton Street line.	Taken up with company, which made satisfactory answer to complainant.
5273, Keogh L. I. RR. Co.	Dangerous operation of gates at Merrick Road crossing, Montauk Division.	Covered by formal proceedings in Case 1260.
5274, Springfield Cit. Assn. L. I. RR. Co.	Request additional train stop at Springfield on Montauk Division.	Taken up formally in Case 1293, and extra train stop ordered. Satisfied.
5275, Lepstine N. Y. C. & H. R. RR. Co.	Rivetting at night in yard at 49th St.	Taken up with company, which made satisfactory answer to complainant.
5276, Wicks B. Q. Co. & Sub. RR. Co.	Operation of open cars at night on Jamaica Ave. line.	Taken up with company, which made satisfactory answer to complainant.
5277, Lieblein Met. St. Ry. Co.	Poor service on 8th St. Crosstown line to Brooklyn.	Investigated and taken up with company for improvement. Satisfied.
5278, DeFere Met. St. Ry. Co.	Delay due to disabled car at 33d St. and 4th Ave.	Investigated and taken up with company, which explained cause of delay. Closed.
5279, Krueger B. U. El. RR. Co.	Poor ventilation in convertible cars.	See disposition of C-5209.
5280, Bd. of Ald.... I. R. T. Co.	Request additional stairway to 169th St. station, 3d Ave. el.	Complainant informed that it was undesirable to make minor changes in view of the general third-tracking progress. Closed.
5281, Citizens' Assn. of Bay Ridge & Ft. Hamilton B. H. RR. Co.	Delays to 3d Ave. service at 65th St.	Taken up with company, which made satisfactory answer to complainant.
5282, Winfield Cit. & Taxp. Assn. So. Shore Tr. Co. <i>et al.</i>	Request transfers between Queensboro Bridge local cars and connecting surface lines in Manhattan.	Covered by formal proceedings in Case 1296.
5283, Ansbacher Met. St. Ry. Co.	Turning back of car of 8th Ave. line at 50th St.	Taken up with company, which made satisfactory answer to complainant.
5284, Bedford & Pk. Ave. Bd. of Trade. B. H. RR. Co.	Protest against change in route of Greenpoint line.	Investigation showed change desirable. On failure of complainant to make formal complaint as suggested, the matter was closed in default.
5285, Property O. Assn. I. R. T. Co.	Requesting removal of obstructions at foot of stairway Freeman St. station, subway.	Investigated and taken up with company, which removed obstructing bulkhead as desired. Satisfied.
5286, Redhead B. H. RR. Co.	Miscellaneous complaint of service, etc., on Flatbush Ave. and Fulton street lines.	Investigation showed allegations of complainant ill founded. Closed.
5287, Friend Met. St. Ry. Co.	Refusal to give transfers at 53d St. and 6th Ave. to short line service to 59th St.	Taken up with company, which satisfied complaint.
5288, Commercial High School Annex. B. H. RR. Co. <i>et al.</i>	Curtaillment of transfer privilege.	Taken up with company, which satisfied complaint.
5289, Corbett B. U. El. RR. Co.	Inadequate service on Lexington Ave. line at Crescent St. bet. 7:30 and 8:30 a. m.	On failure of complainant to take advantage of right for hearing, complaint was closed in default.
5290, Clark N. Y. & Q. Co. Ry. Co.	Poor equipment and management of Corona line.	Complainant informed of new equipment ordered. Investigation showed little basis for complaint. Closed. Ill founded.
5291, Bd. of Ald.... I. R. T. Co.	Res. requests removal of bulkheads at foot of stairway of Freeman St. station of subway.	See disposition of C-5285.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 513

File No., name of complainant and company complained against.	Subject.	Disposition.
5292, Nelson I. R. T. Co.	Irregularity in operation of northbound express, Broadway subway.	See disposition of C-3564.
5293, Meyer N. E. RR. Co. B. R. T. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5294, White L. I. RR. Co.	Long hours of gate-men, etc.	Complainant informed hours of employees, etc., were matters foreign to jurisdiction of Commission.
5295, Higgins I. R. T. Co.	Turning back of Brooklyn express at Bowling Green, subway.	On failure of complainant to give identifying details as requested, complaint was closed in default.
5296, Benjamin N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5298, Wick B. H. RR. Co. N. E. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5299, Kline N. E. RR. Co. B. H. RR. Co. B. Q. Co. & Sub. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5301, Sunshine B. U. El. RR. Co.	Low partitions between seats caused injury to spine.	Investigation showed insufficient cause to warrant further action by Commission.
5304, Hilliker <i>et al.</i> L. I. RR. Co.	Protest against removal of Dunton station, Atlantic Division.	See disposition of C-5115.
5306, Hoshour N. E. RR. Co.	Slowness in removal of cables to permit transfer of church across highway.	Complainant informed this a matter for action by borough authorities. Closed.
5307, Cornish L. I. RR. Co.	Dangerous conditions at Dunton Station, Atlantic Division.	Company erected a fence between tracks and took other measures for safety. Satisfied.
5308, Graham B. R. T. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5309, Nies B. H. RR. Co. N. E. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5310, Bush N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5311, Hart B. H. RR. Co. N. E. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5312, Porter N. E. RR. Co. B. U. El. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5313, Lane B. H. RR. Co. B. U. El. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5314, Menke N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5316, Royals N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5317, Kacer B. R. T. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5318, Lamby B. H. RR. Co.	Curtailment of transfer privileges.	Taken up with company, which satisfied complaint.
5319, Brown B. H. RR. Co. B. Q. Co. & Sub. RR. Co.	Curtailment of transfer privileges.	Taken up with company, which satisfied complaint.
5320, Krietsch B. Q. Co. & Sub. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
B. H. RR. Co. 5321, Gerdes Met. St. Ry. Co.	General complaint of ridiculous traffic regulations and improper stopping points.	On failure of complainant to give specific points as requested, complaint was closed in default.

File No., name of complainant and company complained against.	Subject.	Disposition.
5322, Fulton St. Bd. of Trade. B. U. El. RR. Co.	Request that lavatories and other toilet facilities be installed at all el. stations.	Complainant informed that there was insufficient public demand to justify necessary expenditure. Closed.
5323, Glover B. Q. Co. & Sub. RR. Co. B. H. RR. Co.	Curtailment of transfer privileges.	Taken up with company, which satisfied complaint.
5324, Russell <i>et al.</i> B. H. RR. Co.	Curtailment of transfer privileges and inadequate service on Hamilton Ave. line.	Transfer matters covered by formal proceedings in Case 1275. Service on Hamilton Ave. investigated and taken up with company and somewhat improved.
5325, Auringer B. H. RR. Co. N. E. RR. Co.	Curtailment of transfer privilege.	Complainant informed of new route to shorten trip involved by 30 minutes. Satisfied.
5326, Clark N. Y. & Q. Co. Ry. Co.	Dangerous operation on Steinway line resulting in accident.	Complainant informed accident investigated, but report withheld because of express prohibition by law. No further action.
5327, Jennings I. R. T. Co.	Inadequate lighting of subway trains.	See disposition of C-5248.
5328, Stratton B. U. El. RR. Co.	Overcrowding on Brighton Beach line between Cortelyou Rd. and Franklin Ave. between 7:30 and 8 a. m.	Investigated and taken up with company, which made 5 per cent increase in service. Satisfied.
5329, Hatfield B. Q. Co. & Sub. RR. Co. B. H. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5330, Sargent B. Q. Co. & Sub. RR. Co. B. H. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5331, Seidl B. H. RR. Co. B. U. El. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5332, O'Connell B. H. RR. Co. B. U. El. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5333, Lyon N. E. RR. Co. B. H. RR. Co. B. U. E. RR. Co.	Curtailment of transfer privileges.	Complainant informed of good alternative route. Closed.
5334, Met. Ave. Bd. of Trade. B. H. RR. Co. B. U. E. RR. Co.	Curtailment of transfer privileges.	Complainant informed of proper way to reach destination. Satisfied.
5335, Travis <i>et al.</i> ... N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5336, Neuer B. Q. Co. & Sub. RR. Co. B. H. RR. Co.	Curtailment of transfer privilege.	Taken up with company, which satisfied complaint.
5337, Rizzo N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5338, Toelke B. H. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5339, Bernheimer ... Met. St. Ry. Co.	Noisy operation in vicinity of Lenox Ave. and 116th St.	Investigated and taken up with company, which arranged to regularly grease curves at this point. Satisfied.
5340, Dutch Kills Cit. Assn. So. Shore Tr. Co. <i>et al.</i>	Resolution req. transfer exchange between Queensboro Bridge local cars and connecting surface lines in Manhattan.	Covered by formal proceedings in Case 1296.
5342, McConnin N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5343, Hassey B. Q. Co. & Sub. RR. Co. B. H. RR. Co.	Curtailment of transfer privilege.	Taken up with company which satisfied complaint.

File No., name of complainant and company complained against.	Subject.	Disposition.
5344, Nightingale ... N. E. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5345, Silleck N. E. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5346, Ind. League, 9th Assem. Dist. N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privilege.	Investigation showed complainant not acquainted with new system. Complainant informed of existing regulation. Closed.
5347, Franklin B. H. RR. Co. N. E. RR. Co.	Curtailment of transfer privilege.	Taken up with company, which satisfied complaint.
5348, Rathbun B. H. RR. Co. N. E. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5349, Sauer N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5350, Wenstin B. U. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5351, Dalton B. H. RR. Co. N. E. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5352, Sears B. U. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5353, Rauth B. R. T. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5354, Murphy B. H. RR. Co. N. E. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5356, Goldbloom N. E. RR. Co. B. H. RR. Co. B. Q. Co. & Sub. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5357, Luhrs B. R. T. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5358, West End Cit. League of Queens- boro. B. H. RR. Co. B. Q. Co. & Sub. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5359, Stevens B. R. T. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5360, Buttler I. R. T. Co.	Overcrowding on north-bound 6th Ave. trains around 10 p. m.	Investigation showed service generally ample during time mentioned. Closed. Ill founded.
5361, Heikes Union Ry. Co.	"Car ahead" at Bedford Park on Webster Ave. line.	Taken up with company, which made satisfactory answer to complainant.
5362, Bernstein B. U. E. RR. Co.	Overcrowding and lack of express service at Utica Ave. station, Fulton St. el.	See disposition of C-5249.
5364, Whedon I. R. T. Co.	Non-use of underground passages at Atlantic Ave. subway station.	Closed as dormant, pending other changes in operating methods at this station.
5365, Hyatt I. R. T. Co.	Delays and poor service on Broadway branch of subway above 96th St.	See disposition of C-3964.
5366, Bailey B. H. RR. Co. N. E. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5367, VanWagner N. Y. C. Int. Ry. Co.	Inability to get 8c. transfer tickets on Ogden Ave. line.	Taken up with company, which made satisfactory answer to complainant.
5368, Anderson N. E. RR. Co.	Odors and filthy condition in Ralph Ave. cars.	Investigation showed swept every day and washed twice a week. Complainant so informed. Closed. Ill founded.
5369, Purrington S. I. Ry. Co.	Overcrowding on trains of Perth Amboy Division with locked empty trailers.	Investigated and taken up with company, which agreed to discontinue practice complained of. Satisfied.

516 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
5370, Gurley N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5371, Madigan B. Q. Co. & Sub. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5372, VanHauten N. E. RR. Co. B. H. RR. Co. N. E. RR. Co. B. Q. Co. & Sub. RR. Co.	Curtailment of transfer privileges.	In one instance complainant informed of good alternative route; in other company satisfied complaint.
5373, Seiderman N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privilege.	Taken up with company, which satisfied complaint.
5374, Schade B. H. RR. Co.	Curtailment of transfer privilege.	Investigation showed complainant could have reached destination by a more direct and shorter route. Closed. Ill founded.
5375, Van Brunt ... B. H. RR. Co.	Curtailment of transfer privilege.	Investigation showed complainant desired indirect trip. Closed. Ill founded.
5376, Schaible N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5377, Stratmann N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privileges.	Taken up with company which satisfied complainant.
5378, Quelling B. H. RR. Co. B. Q. Co. & Sub. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5379, Whitcomb B. H. RR. Co. N. E. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5380, Mangan I. R. T. Co.	Slow progress in completing new elevators at 181st St. subway station.	Investigation showed men working overtime in effort to complete construction. Complainant so informed. Closed.
5381, Miller I. R. T. Co.	Inconvenience in handling block ticket at Atlantic Ave. station of subway.	Investigated and taken up with company, which remedied condition complained of. Satisfied.
5383, Hyett I. R. T. Co.	Request transfer be given to other lines or fares refunded in case of blocks in subway.	Conditions explained to complainant. Closed.
5384, Waltz B. U. E. RR. Co.	Long waits and inadequate service between 8 and 8:30 a. m. on Fulton St. line.	See disposition of C-5249.
5385, Mawson I. R. T. Co.	Protest against use of block tickets in subway.	Detailed explanation to complainant. Closed.
5386, Bd. of Trade, Jamaica South, L. I. Elec. Ry. Co.	Poor condition of tracks and pavements on New York Ave.	Complainant informed impracticable to make repairs of a general nature until spring of 1911. Closed.
5387, Meehan I. R. T. Co.	Delay due to cutting off car at 145th St. station of Broadway subway.	Taken up with company, which commenced running trains with additional cars on through service. See also disposition of C-3964.
5388, Leach B. H. RR. Co. N. E. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5389, Gans B. H. RR. Co. B. Q. Co. & Sub. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5390, Brown N. E. RR. Co. B. H. RR. Co.	Refusal of conductor on northbound Vanderbilt Ave. car to accept transfer from Fulton St. line.	Investigation showed conductor in error. Complainant so informed. Satisfied.
5391, Elsner B. H. RR. Co. N. E. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.

File No., name of complainant and company complained against.	Subject.	Disposition.
5393, Ausland B. H. RR. Co. N. E. RR. Co.	Curtailment of transfer privileges.	Investigation showed complainant in error as to the facts. Closed. Ill founded.
5394, Edgell N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5395, Burstein B. H. RR. Co. N. E. RR. Co.	Curtailment of transfer privilege.	Taken up with company, which satisfied complainant.
5396, Irwin N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privilege.	Investigation showed complainant could reach destination by shorter route. Closed.
5397, Anderson N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5398, Schappert B. R. T. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5399, Staub B. Q. Co. & Sub. RR. Co.	Curtailment of transfer privileges.	One instance taken up informally with company and rectified; the other instance covered by formal proceedings in Case 1275.
5400, Kane B. Q. Co. & Sub. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5401, Holley B. U. E. RR. Co. B. H. RR. Co. N. E. RR. Co.	Curtailment of transfer privileges.	One instance taken up informally with company and rectified; the other instance covered by formal proceedings in Case 1275.
5402, Howarth B. H. RR. Co. B. Q. Co. & Sub. RR. Co.	Curtailment of transfer privilege.	Taken up with company, which satisfied complainant.
5403, Gehorsam B. Q. Co. & Sub. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5404, Purrington N. Y., N. H. & H. R. RR. Co.	Trunk held for overweight through error.	Taken up with company, which made satisfactory answer to complainant.
5405, Jennings B. Q. Co. & Sub. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5406, Balmer B. H. RR. Co. B. U. E. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5407, Golding N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privilege.	Taken up with company, which satisfied complainant.
5408, Levy B. R. T. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5409, Goldberg B. Q. Co. & Sub. RR. Co.	Curtailment of transfer privilege.	Taken up with company, which satisfied complainant.
5410, Todschilder <i>et al.</i> B. R. T. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5411, Rasner B. Q. Co. & Sub. RR. Co.	Curtailment of transfer privilege.	Taken up with company, which satisfied complainant.
5412, Consolidated Wafer Co. B. H. RR. Co. B. Q. Co. & Sub. RR. Co.	Curtailment of transfer privilege.	Taken up with company, which satisfied complainant.
5413, Gomer B. H. RR. Co.	Curtailment of transfer privileges.	Complainant informed of good alternative routes. Closed.
5414, Hertiley N. E. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5415, Greene I. R. T. Co.	General complaint of confusion and danger in operation of side doors in subway.	Complainant informed accidents very few, comparatively; public becoming educated to new system. Closed. ill founded.
5416, Michaels I. R. T. Co.	Delays to uptown 9th Ave. surface at 135th St. around 10 p. m.	Taken up with company, which made satisfactory answer to complainant.

518 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
5417, Levings I. R. T. Co.	Failure of express trains, in emergency operating over local tracks, to stop at local stations.	Complainant informed it was impracticable to stop expresses at local stations because of too great length of the trains. Closed.
5418, Irwin B. Q. Co. & Sub. RR. Co. N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5419, Sweet S. I. R. T. Ry. Co.	Failure of train from Port Richmond to connect with ferry at St. George.	On failure of complainant to give instances as requested, complaint was closed in default.
5420, Midgley I. R. T. Co.	Alleged holding up of Broadway train to permit another to pass at Manhattan St.	Investigation showed no preference in despatching trains above 96th St. Closed. Ill founded.
5421, McClellan So. Bk. Ry. Co. B. H. RR. Co. N. E. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5422, Krombach N. E. RR. Co.	Instance of misdirection by conductor of 5th Ave. car.	Investigation showed conductor at fault, not an instance of general practice. Complainant so informed. Satisfied.
5423, Bennett <i>et al.</i> ... B. H. RR. Co. N. E. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5424, Schade L. I. Elec. Ry. Co.	Use of open cars on Liberty Ave. during cold and inclement weather.	Taken up with company, which made satisfactory answer to complainant.
5425, Dunne B. H. RR. Co.	Bad condition of track on Nostrand Ave. between Prospect and Park Places.	See disposition of C-4959.
5426, DeLancey N. Y. & Q. Co. Ry. Co.	Inadequate service on College Point line.	Covered by formal proceedings in Case 1233.
5427, Meyer I. R. T. Co.	Instance of alleged general practice of ticket agents in subway refusing to change bills over \$2.	Explained to complainant that this was an instance of the failure of one man, not of a general practice, as even \$20 and \$50 bills have been changed by station agents. Closed.
5428, Johnson L. I. RR. Co.	Alleged extra fare on express between Jamaica and Flatbush Ave. and refusal of company to refund.	Complainant charged only regular fare; so explained to him. Closed. Ill founded.
5429, Klein I. R. T. Co.	Instance of delay to up-town service in subway at 96th St.	Taken up with company, which explained to complainant that delay was due to air brake trouble on a train at Brooklyn Bridge. Closed.
5430, Hunt B. H. RR. Co.	Poor service on 65th St.-Bay Ridge Ave. line; dangerous condition of equipment, particularly of air brake.	Investigation showed complainant in error as to the facts. Closed. Ill founded.
5431, Stewart B. H. RR. Co. N. E. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5432, Hescock B. U. E. RR. Co. N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5433, Dingman B. H. RR. Co. B. U. E. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5434, Rueth <i>et al.</i> ... N. Y. C. & H. R. RR. Co.	Protest against annoyance due to exhausts and coal gas in vicinity of Brook Ave. and 162d St.	Investigation showed no remedial action practicable pending complete electrification and non-use of steam for traction in this vicinity. Closed.

File No., name of complainant and company complained against.	Subject.	Disposition.
5435, Murray B. U. E. RR. Co.	Congestion at Myrtle Ave. station due to improper train balance on Fulton street line.	See disposition of C-5249.
5436, Met. Ave. Bd. of Trade. B. Q. Co. & Sub. RR. Co. B. H. RR. Co.	Changes in routing of Metropolitan Ave. cars, resulting in hardship to passengers.	Investigated and taken up with company, which shortened headways. Satisfied.
5437, Stirratt I. R. T. Co.	Request operation of Broadway locals in subway to Dyckman St.	Taken up with company, which made satisfactory answer to complainant. See also disposition of C-3964.
5438, Tuthill B. H. RR. Co. N. E. RR. Co.	Noisy crossing at Greene and Vanderbilt Aves.	Investigated and taken up with company, and some improvement noted by complainant. New crossing to be installed in spring of 1911. Closed.
5439, Sweeney Met. St. Ry. Co.	Inadequate service on 8th St. Crosstown line between Brooklyn and Christopher St. ferry.	Investigation showed westbound service adequate. Eastbound service subsequently improved. Satisfied.
5441, Reilly N. E. RR. Co. B. H. RR. Co.	Request waiting rooms at Flatbush and Ocean Aves. and at Buffalo Ave. and St. John's Place.	Investigation showed headways too short; probable expenditure too great to warrant Commission ordering waiting rooms. Closed. Ill founded.
5442, West Bk. Bd. of Trade. B. R. T. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5443, McIntyre N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5444, Bernheim B. R. T. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5445, Marshall B. U. E. RR. Co.	Refusal of guard on Park Row train of Fulton St. line to permit passengers to board at Flatbush Ave. station.	Taken up with company, which made satisfactory explanation to complainant.
5446, Schulz N. Y. C. Int. Ry. Co.	Refusal of cars to wait for passengers from subway at 238th St. station.	Taken up with company, which made satisfactory answer to complainant.
5447, Foote Third Ave. RR. Co.	Inadequate service on Third and Amsterdam Ave. lines, long headway on 125th St. Crosstown line after midnight.	Investigated and taken up with company for improvement. No further action.
5448, Berggen N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5449, Rosenblatt B. Q. Co. & Sub. RR. Co. B. H. RR. Co.	Curtailment of transfer privilege.	Investigation showed complainant could have made trip by good alternative route. Closed. Ill founded.
5450, Biers N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privileges.	Taken up with company, which satisfied complaint.
5451, Lillienthal Met. St. Ry. Co.	Inadequate lighting of 4th and Madison Ave. cars.	Investigation showed lighting on this line normally adequate. Closed. Ill founded.
5452, Weiss C. I. & B. RR. Co.	Failure to keep waiting room at DeKalb and Franklin Aves. open between midnight and 6 a. m.	Taken up with company, which satisfied complaint.
5453, Masbach 42d St. M. & St. N. Ave. Ry. Co.	Long headways on Broadway branch about 6 p. m.	Investigated and taken up with company, which agreed to add more cars to schedule. Satisfied.
5454, Porter D. D. E. B. & B. RR. Co.	Iron brace under seat injurious to passengers' "shins."	Taken up with company, which directed motormen to let down seats and put brace under them out of the way. Satisfied.

File No., name of complainant and company complained against.	Subject.	Disposition.
5455, Bd. of Ald. Union Ry. Co.	Discontinuance of service on Williamsbridge line between 1 and 6 a. m.	Investigation showed insufficient traffic demand to warrant operation desired. Complainant informed. Closed. Ill founded.
5456, Schmitt N. E. RR. Co. B. H. RR. Co.	Curtailement of transfer privilege.	Covered by formal proceedings in Case 1275.
5457, Churchill N. E. RR. Co. B. H. RR. Co.	Curtailement of transfer privilege.	Investigation showed complainant could have secured transportation desired on requesting transfer at proper point. Complainant so informed. Closed. Ill founded.
5458, Stone Met. St. Ry. Co.	Inadequate service over Williamsburg bridge on 14th St.-Williamsburg bridge line.	Investigated and taken up with company, which arranged to instal extra cables to furnish power for more service. Satisfied.
5459, Haggerty I. R. T. Co.	Unnecessary noise due to storage of cars between 12 and 1 midnight near Freeman St. on Lenox Ave. subway.	Investigation showed little unnecessary noise. Taken up with company. Closed.
5460, Adamson N. Y. & Q. Co. Ry. Co.	Operation of open cars on Dutch Kills line during cold and inclement weather.	Complainant informed of purchase of new cars which rendered use of open cars on this line unnecessary. Satisfied.
5461, Conant B. U. El. RR. Co.	Failure of eastbound Fulton St. trains to stop at Nostrand Ave. during morning rush hours.	Taken up with company, which agreed to stop more trains at this station during the time complained of. Satisfied.
5463, Fitzgerald B. Q. Co. & Sub. RR. Co. B. H. RR. Co.	Curtailement of transfer privilege.	Taken up with company, which satisfied complaint.
5464, Oppenheimer .. B. U. El. RR. Co.	Lack of ventilation in convertible cars.	See disposition of C-5209.
5465, Cohen I. R. T. Co.	Overcrowded downtown service on 6th Ave. el. at Franklin St. between 3 and 4:30 p. m.	Investigated and taken up with company, which increased service. Satisfied.
5466, Platt N. Y. & Q. Co. Ry. Co.	Operation of open cars on Dutch Kills line during cold and inclement weather.	See disposition of C-5460.
5467, Myers B. R. T. Co.	Curtailement of transfer privileges.	Covered by formal proceedings in Case 1275.
5468, King B. H. RR. Co. B. U. E. RR. Co.	Curtailement of transfer privileges.	Covered by formal proceedings in Case 1275.
5469, Lang B. Q. Co. & Sub. RR. Co. B. H. RR. Co.	Curtailement of transfer privilege.	Taken up with company, which satisfied complaint.
5470, Judge B. R. T. Co.	Curtailement of transfer privileges.	Covered by formal proceedings in Case 1275.
5471, Donn B. H. RR. Co. N. E. RR. Co.	Curtailement of transfer privilege.	Taken up with company, which satisfied complaint.
5472, Rebenkian N. E. RR. Co.	Defective rail in front of premises on 5th Ave.	Taken up with company, which made proper repairs. Satisfied.
5473, Raisnes I. R. T. Co.	Lack of through service on Broadway branch of subway above 96th St.	See disposition of C-3964.
5474, Lindeman B. H. RR. Co. N. E. RR. Co.	Curtailement of transfer privilege.	Taken up with company, which satisfied complaint.
5475, Boos B. U. E. RR. Co.	Cold cars on Myrtle Ave. line about 5:20 a. m. on certain date.	Investigation showed complainant in error as to temperature data. Closed. Ill founded.
5476, Cushman N. Y. C. & H. R. RR. Co.	Harlem Division station agent transferred perishable goods to consignee by high-priced truckmen.	Taken up with company, which agreed to have its agent respect wishes of complainant. Satisfied.

INFORMAL COMPLAINTS, RAILROADS AND STREET RAILROADS. 521

File No., name of complainant and company complained against.	Subject.	Disposition.
5477, Lang N. Y. & Q. Co. Ry. Co.	Instance of long wait on Corcoran line.	Explained to complainant service demoralized by aviation meet at Belmont Park; but new cars had been ordered to meet such contingencies in future. Closed.
5479, Logan N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5480, Kennedy B. H. RR. Co. N. E. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5481, Sweet B. H. RR. Co.	Curtailment of transfer privilege.	Explained to complainant that in instance noted conductor was in error and such practice was not authorized by company. Satisfied.
5482, Gallagher B. H. RR. Co. N. E. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5483, Godwin N. E. RR. Co. B. U. E. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5484, Wilkens N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5485, Rosenthal B. H. RR. Co.	Curtailment of transfer privilege.	Taken up with company, which satisfied complaint.
5486, Ball B. H. RR. Co. N. E. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5487, Schade B. Q. Co. & S. RR. Co.	Failure of Broadway cars to stop on signal.	Explained to complainant that a system of fixed stops had been inaugurated on Broadway in accordance with local petition and the new practice was giving general satisfaction. Closed. Ill founded.
5488, Parker N. E. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5489, Harison N. Y. & Q. Co. Ry. Co.	Instance of lack of heat in car at New York end of Queensboro bridge.	Taken up with company, which stated that it had restructured its men as to the terms of P. S. C. order in Case 1170. Complainant so informed. Closed.
5491, Dowling B. U. E. RR. Co.	Overcrowded two-car trains on Lexington Ave. line after 8 p. m.	Investigated and taken up with company, which added cars to trains. Satisfied.
5492, Fraser B. H. RR. Co. B. Q. Co. & S. RR. Co.	Curtailment of transfer privilege.	Taken up with company, which satisfied complaint.
5493, Vogt L. I. RR. Co. L. I. Express.	Failure to maintain express agent at Broad Channel after Sept. 15.	Complainant informed express agency maintained June 15 to September 15, but thereafter discontinued because of lack of business; redress might be had through courts. Closed.
5494, Brown N. E. RR. Co. B. U. E. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5496, Backie N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privileges.	Taken up with company, which satisfied complaint.
5498, Griffin I. R. T. Co.	Refusal of guard to open side door.	Taken up with company, which made answer that it had properly disciplined employee at fault. Satisfied.
5499, Wray N. E. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5500, Nanz B. U. E. RR. Co. N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privileges. Inadequate heating of cars.	Former matter covered by formal proceedings in Case 1275. Complainant informed of terms of heat order. Case 1170.
5502, Crawford <i>et al.</i> B. Q. Co. & S. RR. Co.	Petition requesting extension of operation of Jamaica Ave. line approximately to Hamilton St.	Complainant informed of legal matters involved. On failure to attend conference as requested, complaint was closed in default.
5503, Ward B. R. T. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.

522 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
5504, Maywell B. Q. Co. & S. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
B. H. RR. Co.		
5505, Klein B. H. RR. Co.	Curtailment of transfer privilege.	Complainant informed of good alternative route. Closed.
B. Q. Co. & S. RR. Co.		
5506, Metz N. E. RR. Co.	Curtailment of transfer privileges.	Taken up with company, which satisfied complaint.
B. H. RR. Co.		
5507, Curtis Met. St. Ry. Co.	Failure of conductor of 6th Ave. line to accept transfer from Broadway line to 34th St.	Taken up with company, which made satisfactory answer to complainant.
5508, West C. I. & B. RR. Co.	Bad condition of track on Franklin Ave. between Atlantic Ave. and Pacific St.	Taken up with company, which removed noisy piece of special work. Satisfied.
5509, Elmuth 5th Ave. Coach Co.	Inadequate provision for carrying passengers after breakdowns.	Taken up with company, which made satisfactory answer to complainant.
5510, James L. I. RR. Co.	Dangerous grade crossing at Thompson Ave., Long Island City.	See disposition of C-5269.
5511, Holt <i>et al.</i> L. I. RR. Co.	Petition requesting restoration of Dunton Station.	See disposition of C-5115.
5512, Columbia Metal Box Co.	Long waits and slow running time on Kingsbridge line.	Taken up with company, which made satisfactory answer to complaint.
Third Ave. RR. Co.	Instance of cold cars in subway leaving Van Cortlandt Park.	Complainant informed that on date in question outside temperature did not require heat in cars in accordance with terms of order in Case 1170, which were explained to complainant. Closed.
5513, Childs I. R. T. Co.		Taken up with company, which made satisfactory answer to complainant.
5514, Jamaica Cit. Assn.	Failure of westbound cars to stop on signal of would-be passenger.	
N. Y. & L. I. Tr. Co.		
5515, Conover Union Ry. Co.	Confusion in loading and unloading P-A-Y-E cars at 155th St. and 8th Ave.	Taken up with company which agreed to station employee to assist in traffic regulation. Satisfied.
5517, Goldey N. E. RR. Co.	Curtailment of transfer privilege.	Taken up with company which satisfied complaint.
B. H. RR. Co.		
5519, Altmann N. E. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
B. H. RR. Co.		
5520, Curtin N. E. RR. Co.	Request change in transfer system affecting Union st., St. John's pl. and Sackett and Hoyt St. lines.	Complainant informed proposed change not advisable as a good alternative route was already in operation. Closed. Ill founded.
5521, Ridgewood Bd. of Trade B. H. RR. Co.	Curtailment of transfer privileges.	Taken up with company which satisfied complaint.
N. E. RR. Co.		
5523, Mackay L. I. RR. Co.	Dangerous and annoying conditions at Thompson Ave. crossing, Long Island City.	See disposition of C-5269.
5524, Lande D.D. E.B. & B. RR. Co.	Inadequate service on Grand St. line.	Investigation showed maximum service being operated, which was generally adequate. Closed. Ill founded.
5525, Wittenhauer .. Union Ry. Co.	Difficulty of securing transfer from northbound Park Ave. cars. Inquiring re gas rates.	Complainant informed of gas rates; specific instances of transfer trouble requested. On failure of complainant to respond, case was closed.
5526, Schwarzschild.. B. U. E. RR. Co.	Inadequate station facilities at Atlantic Ave. station and other matters West End line.	See disposition of C-4347.
N. E. RR. Co.		

File No., name of complainant and company complained against.	Subject.	Disposition.
5528, Richards B. H. RR. Co.	Inadequate service on Fulton Street line during non-rush hours.	Investigation showed complaint justified. Taken up with company for improvement. Closed.
5529, McCullouch I. R. T. Co.	Delays to service outbound from Flatbush Avenue station, subway.	Detailed report of conditions involved at this station made to complainant. Closed.
5530, Astoria Taxp. & Business Men's Assn. N. Y. & Q. Co. Ry. Co.	Lack of shelter at Queensboro Bridge plaza.	Taken up with company, which provided closed car as temporary shelter. Satisfied.
5532, Karmann N. E. RR. Co.	Curtailement of transfer privilege.	Investigation showed transfer desired would mean a round trip for a single fare. Complainant informed of shorter alternative route. Closed. Ill founded.
5533, Shipley B. H. RR. Co. B. Q. Co. & S. RR. Co.	Curtailement of transfer privileges.	Complaint not sufficiently specific. Complainant informed of hearing date in Case 1275. Closed.
5534, Orr & Tichenet B. Q. Co. & S. RR. Co. N. E. RR. Co.	Curtailement of transfer privileges.	Investigation showed transfer desired would mean round trip for a single fare. Closed. Ill founded.
5535, Stauder B. H. RR. Co.	Curtailement of transfer privilege.	Investigation showed transfer desired would mean round trip for a single fare. Complainant informed of good alternative route. Closed. Ill founded.
5537, Goodman N. E. RR. Co. B. Q. Co. & S. RR. Co.	Curtailement of transfer privileges.	Covered by formal proceedings in Case 1275.
5538, Midwood Pk. Prop. O. Assn. B. R. T. Co.	Curtailement of transfer privileges.	Covered by formal proceedings in Case 1275.
5539, Wade Rich. Lt. & RR. Co.	Operation of open cars during cold and inclement weather.	Investigation showed cars being repaired in large numbers and operation of open cars about to be discontinued. Satisfied.
5540, Walker N. Y. & Q. Co. Ry. Co.	Operation of open cars during cold and inclement weather between E. 34th Street Ferry and Flushing.	Taken up with company and operation of open cars discontinued, as noted by complainant. Satisfied.
5541, Ketchel S. I. Ry. Co.	Delays to service on Perth Amboy Division. Failure to make connections with ferry at St. George.	Complainant informed that much depends on close maintenance of ferry boat schedule, and that every effort will be made by company to improve service in this regard. Closed.
5542, Kelly Union Ry. Co.	Turning back of cars on Jerome Avenue line at Woodlawn Cemetery.	Taken up with company, which made satisfactory answer to complainant.
5543, Woods B. Q. Co. & S. RR. Co.	Instance of car of Reid Avenue line with inside woodwork saturated with water.	Taken up with company, which made satisfactory answer to complainant.
5544, Gain N. E. RR. Co.	Inadequate through service on St. John's Place line.	See disposition of C-4199.
5546, McIntyre B. H. RR. Co.	Curtailement of transfer privileges.	Covered by formal proceedings in Case 1275.
5547, Costellor B. H. RR. Co. B. Q. Co. & S. RR. Co.	Curtailement of transfer privilege.	Investigation showed no ground for complaint, as route desired by complainant was not the direct one. Closed. Ill founded.
5550, Blyth B. H. RR. Co.	Crowding and inadequate through service on Flushing Ave. line.	Taken up with company, which arranged a more regular through service.
5551, Keller Met. St. Ry. Co. Third Ave. RR. Co.	Cold cars. Heaters on cars locked to prevent being turned on by conductor.	Investigation showed temperature to date generally mild, and heaters not locked as alleged. Closed. Ill founded.
5552, Baker Rich. Lt. & RR. Co.	Use of open cars on Castleton Avenue line during cold and inclement weather.	Complainant informed of intention to immediately discontinue use of open cars for the winter. Closed.

File No., name of complainant and company complained against.	Subject.	Disposition.
5553, Clay N. Y. & Q. Co. Ry. Co.	Irregular service between East 34th Street Ferry and Queensboro Bridge plaza. Open cars in operation during cold and inclement weather.	Complainant informed of purchase of new cars, rendering further use of open cars and poor service complained of unnecessary. Closed.
5554, Vandewater .. L. I. RR. Co.	Inadequate shelter at Woodhaven Junction, Atlantic Division.	Investigated and taken up with company, which constructed shelter. Satisfied.
5555, Reichold B. H. RR. Co. B. U. E. RR. Co.	Curtailment of transfer privilege.	Complainant informed of Paragraph 8, Section 49, of revised P. S. C. Law, prohibiting compulsion of transfer exchange between rapid transit and street surface lines by Commission. Closed.
5556, Kerney N. E. RR. Co.	Curtailment of transfer privilege.	Investigation showed error on part of complainant. Closed. Ill founded.
5557, Woodcock B. H. RR. Co. B. Q. Co. & S. Ry. Co. B. U. E. RR. Co.	Inability to ride to Coney Island for less than 15-cent fare under new transfer system.	Explained to complainant how ride could be made for 10c. fare. Closed.
5558, Menke N. E. RR. Co.	Inadequate through service on St. John's Place line.	See disposition of C-4199.
5560, E. Tremont Taxp. Assn. Union Ry. Co. N. Y. City Int. Ry. Co.	Request change of transfers between all intersecting lines at West Farms Junction.	Covered by formal proceedings in Case 1299, not concluded Jan. 1, 1911.
5561, Automobile Club of America L. I. RR. Co.	Request elimination of Thompson Ave. grade crossing.	See disposition of C-5269.
5562, Brooks N. Y. & Q. Co. Ry. Co.	Operation of open cars on Dutch Kills line during cold and inclement weather.	See disposition of C-5540.
5563, Jacobs L. I. Elec. RR. Co. L. I. RR. Co.	Unclean cars and long waits on line to city line. No waiting-room at Dunton.	Investigation showed complaint ill founded as to service on surface line. Relative to Dunton station see disposition of C-5115.
5564, Huck B. H. RR. Co.	Refusal of conductor on Myrtle Avenue line to issue a transfer on a transfer from Flatbush Avenue line.	Investigation showed conductor in error, not an instance of practice sanctioned by company. Complainant so informed. Satisfied.
5565, Garton N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5566, Nevison B. H. RR. Co. B. Q. Co. & Sub. RR. Co.	Curtailment of transfer privileges.	Taken up with company, which satisfied complaint.
5567, Clews Met. St. Ry. Co.	Noise due to poor condition of roadbed and rolling stock, 86th St. Crosstown line.	Investigation showed no abnormal noises except due to three slight flat wheels, which were repaired. Complainant so informed. Closed.
5568, Holly B. H. RR. Co.	Alleged instance of unprovoked attack on passenger by company employee witnessed by complainant.	Taken up with company, which made reply denying intention of violence. Further action by Commission deemed inadvisable.
5569, O'Brien B. H. RR. Co. N. E. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5570, Dempsey N. Y. N. H. & H. RR. Co.	Noise of locomotives, etc., in yards of Harlem River branch at 129th street.	Taken up with company, which took steps to see that rules governing yard operation were more rigidly enforced. Satisfied.
5571, Froboes B. H. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5572, Worthen N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.

File No., name of complainant and company complained against.	Subject.	Disposition.
5573, Winfield Cit. & Taxp. Assn. N. Y. & Q. Co. Ry. Co.	Request operation of open cars on Corona line be discontinued for winter.	See dispositions of C-5540 and C-5460.
5574, Myers	Inadequate shelter at Woodhaven Junction.	See disposition of C-5554.
5575, Blyth	Long waits on Reid Avenue line.	On failure of complainant to give instance as requested, complaint was closed in default.
5578, Karpen	Curtailment of transfer privilege.	Investigation showed existing transfer arrangement not unreasonable. Closed. Ill founded.
5579, Fridenberg ... Met. St. Ry. Co.	Poor heating of cars and failure to post copies of heat order as directed by Commission.	Investigated and taken up with company. Decided improvement subsequently noted by complainant. Satisfied.
5580, Cromwell I. R. T. Co.	Slow running time and delays to Broadway subway service above 96th street.	See disposition of C-3964.
5581, Baur	Damage to apple shipment.	Taken up with company, which made answer that the matter would be satisfactorily adjusted with complainant.
5582, Snow	Danger in operation of side doors.	Complainant informed of devices being installed to prevent injury to persons caught by side doors. Satisfied.
5583, Christman N. Y. & Q. Co. Ry. Co.	Operation of open cars on Steinway and Jackson avenues during cold and inclement weather.	See disposition of C-5460.
5584, Harlem Bd. of Com. I. R. T. Co.	Inadequate service in subway southbound from 145th st., Lenox Avenue branch.	See disposition of C-4164.
5585, Harte	Operation of open cars on shuttle service between Queensboro Bridge plaza and East 34th Street Ferry.	See disposition of C-5460.
5587, Dept. of Health N. Y. & Q. Co. Ry. Co.	Unclean interior of cars operating through Flushing. Poor ventilation.	Investigation showed cars as clean as circumstances permitted. Passengers frequently close ventilators themselves. Closed.
5588, Brown	Failure of trains from Flushing to make connection with ferry boats at East 34th st.	Explained to complainant that when new schedule has been worked out cause for complaint will be removed. Closed.
5589, Newman	Insolence of conductor and inspector on car of North Beach line.	Taken up with company, which made answer that conductor was at fault and severely disciplined; the inspector was not at fault. Closed.
5590, Emerson B. U. E. RR. Co.	Long waits and overcrowding on Brighton Beach line.	Investigation showed headway well maintained. Explanation of conditions involved in traffic on lower Fulton St. elevated structure made to complainant. Closed.
5591, Abbott	Insufficient light and poor drainage at Westchester station, Harlem River branch.	Investigated and taken up with company, which added lights and repaired drain. Satisfied.
5592, Stabler	Poor service and overcrowding on 137th St. station during afternoon rush hours. Broadway subway.	See disposition of C-3964.
5593, Tully	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5594, Jones	Delays to service on Tremont Avenue line west of Third avenue.	Taken up with company, which made satisfactory answer to complainant.

526 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
5595, Casamajor B. U. E. RR. Co.	Overcrowded two-car trains on Lexington Avenue line after 9 p. m.	See disposition of C-5491.
5596, Davis Union Ry. Co.	Irregular headways and bunching of cars on Webster and Melrose avenues.	Investigated and taken up with company, which stationed inspector to secure smoother operation. Satisfied.
5597, Lucke <i>et al.</i> N. E. RR. Co.	Request extension of 7th Avenue line southward below Greenwood Cemetery.	Acknowledged and closed as not being a matter in which the Public Service Commission should initiate proceedings.
5598, Beecroft C. I. & P. P. RR. Co.	Excess fare between Bartow and City Island bridge.	Taken up with company, which explained to complainant location of second fare point. Closed.
5600, Stettiner I. R. T. Co.	Inadequate service on Broadway subway above 96th street during morning rush hours.	See disposition of C-3964.
5601, Plotkow I. R. T. Co.	Skipping by 2d Avenue el. trains southbound of 86th Street station.	Investigated and taken up with company, which agreed to avoid as far as possible cause of complaint. Satisfied.
5602, Waters-Colver Co. S. I. R. T. RR. Co.	Alleged unjust demurrage charge.	Taken up by company, which acknowledged error of its agent and refunded amount of demurrage paid. Satisfied.
5603, Chadwick N. E. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5604, Davis N. E. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5605, Hartich B. H. RR. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5606, Kronold Co. Met. St. Ry. Co.	Request that conductors be ordered to keep car doors closed.	Taken up with company, which issued orders as desired. Closed.
5607, Brudsbau C. I. & B. RR. Co.	Overcrowding on Smith Street line between 9th street and Park circle, Sundays about 10 p. m.	Investigated and taken up with company, which made headways more regular. Service generally adequate. Closed.
5608, Byington N. Y. & Q. Co. Ry. Co.	Inadequate service between 34th St. Ferry and Flushing.	Taken up with company, which secured additional cars and increased service. Satisfied.
5609, Johnson N. E. RR. Co.	Curtailment of transfer privilege.	Investigation showed transfer arrangement reasonable. Closed. Ill founded.
5610, Topham B. U. E. RR. Co.	Inadequate station facilities at Atlantic Ave. station, 5th Avenue el.	See disposition of C-4347.
5611, Bondy Met. St. Ry. Co.	Poor service on Lexington Ave. line. Overcrowding at ends of P-A-Y-E cars.	Investigation showed service being gradually improved as conditions permitted. End straps removed reducing congestion near doors of cars. Closed.
5612, Patterson B. H. RR. Co.	Failure of motormen to wait for transfer passengers.	Taken up with company, which explained that on Flatbush Ave. line with close headway long waits for transfer passengers disturb maintenance of schedule. Closed.
5614, Steuler N. E. RR. Co.	Curtailment of transfer privileges.	Taken up with company which satisfied complaint.
5615, Hentz B. U. E. RR. Co.	Curtailment of transfer privilege.	Investigation showed transfer arrangement reasonable. Closed. Ill founded.
5617, Edwards I. R. T. Co.	Inadequate Lenox Avenue local service between 75th street and 135th Street subway.	See disposition of C-4164.
5619, Dept. of Health B. U. E. RR. Co.	Lack of ventilation in convertible cars.	See disposition of C-5209.
5622, Wilson B. U. E. RR. Co.	General lack of heat in cars of Brighton Beach line.	Complainant informed of terms of order in Case 1170, and asked for details. Closed.

File No., name of complainant and company complained against.	Subject.	Disposition.
5623, Gallagher I. R. T. Co.	Lack of heat in cars of 6th and 9th Avenue el. lines. Request escalator at 155th street.	Complainant informed of terms of order in Case 1170; escalator at 155th St. station would be considered in connection with general elevated reconstruction in Manhattan and Bronx. Closed.
5625, Business Wo- man's Fraternal League I. R. T. Co.	Overcrowding in the subway.	See disposition of C-4164.
5626, O'Connor N. E. RR. Co.	Curtailement of transfer privilege.	Complainant informed transfers were being issued as desired. Satisfied.
5628, Story B. H. RR. Co.	Curtailement of transfer privilege.	Complainant informed errors were made as transfers were issued as desired. Closed. Ill founded.
5629, Post N. E. RR. Co. B. H. RR. Co.	Curtailement of transfer privilege.	Complainant informed error was made as transfers were issued as desired. Closed. Ill founded.
5630, Central Flat- bush Taxp. Assn. B. H. RR. Co.	Protest against curtailement of transfer system in section served by Nostrand Ave. line.	Complainant informed that system was not sufficiently changed on Oct. 15 to cause hardship to the Flatbush patrons of this line.
5631, Shively B. H. RR. Co. B. Q. Co. & S. RR. Co.	Curtailement of transfer privileges.	Taken up with company which satisfied complaint.
N. E. RR. Co. 5632, Horton N. E. RR. Co. B. H. RR. Co.	Curtailement of transfer privileges.	Covered by formal proceedings in Case 1275.
5633, Griffin B. H. RR. Co. N. E. RR. Co.	Misinformation by conductor. Curtailement of transfer privilege.	Investigation showed conductor at fault. Question of extension of transfer privilege covered by formal proceedings in Case 1275.
5634, Janson B. H. RR. Co. N. E. RR. Co.	Curtailement of transfer privilege.	Taken up with company which satisfied complaint.
5635, Walton B. H. RR. Co.	Inadequate service on Flatbush Avenue line between 10 a. m. and 3 p. m.	Taken up with company, which increased service. Satisfied.
5636, Vaughn B. R. T. Co.	Expectoration by conductors and spittle on transfers when given out.	Taken up with company which agreed to issue specific injunctions to conductors to stop practices complained of.
5638, Hogan N. Y. & Q. Co. Ry. Co.	Inadequate service on Corona line across Queensboro bridge.	New cars purchased and added to schedule. Satisfied.
5639, Cairns B. H. RR. Co.	Lack of heat in waiting room at Manhattan Junction.	Taken up with company, which arranged to heat waiting room. Satisfied.
5640, Kingsbury B. U. E. RR. Co.	Overcrowded two-car trains on Lexington Avenue line around 11 p. m.	See disposition of C-5491.
5641, Steinway & Sons N. Y. & Q. Co. Ry. Co.	Inadequate service between East 34th Street Ferry and Steinway between 6 and 7 a. m.	Complainant informed service to be improved as soon as new cars ordered were delivered. Closed.
5642, Nichols N. E. RR. Co.	Lack of heat in West End trains.	Investigation showed that cars were generally properly heated. Closed. Ill founded.
5643, McKillop N. Y. & Q. Co. Ry. Co.	Inadequate service between Long Island City and Steinway.	See disposition of C-5641.
5644, Corbett B. H. RR. Co.	Lack of shelter at Alabama avenue, Fulton Street line.	On failure of complainant to prepare formal complaint as suggested, matter was closed in default.
5646, L. I. Real Es- tate Exchange N. Y. & Q. Co. Ry. Co.	Request transfers between elevated and subway lines in Manhattan and the surface lines of Queens.	Complainant informed of law governing procedure of Commission in such cases. Covered partly by formal proceedings in Case 1296.
5647, Laski I. R. T. Co.	Instance of refusal to give block ticket at 110th street during delay in subway.	Investigation showed delay of a minor character. No action deemed advisable under the circumstances.

File No., name of complainant and company complained against.	Subject.	Disposition.
5649, Schmalstich .. I. R. T. Co.	General slow operation on 9th Avenue el. between 145th street and 23d street, 8 to 9 a. m.	Investigation showed no basis for allegation. Closed. Ill founded.
5650, Comstock I. R. T. Co.	Inadequate local service during non-rush hours.	See disposition of C-4156.
5651, Toch I. R. T. Co.	Request extension of line between 96th St. station and 1st ave.	Complainant informed P. S. C. not proper body to take initiative in the matter. Closed.
5652, Withrow I. R. T. Co.	Delays on Broadway branch of subway above 96th street during morning rush hours.	See disposition of C-3964.
5653, White N. E. RR. Co.	Long headways on Bay Ridge Avenue line. Curtailment of transfer privilege.	Investigated and taken up with company, which improved service sufficiently to render action on the subject of transfers unnecessary. Satisfied.
5654, Berzick N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privilege.	Taken up with company which satisfied complainant.
5656, Francis I. R. T. Co.	Overcrowding and poor service on 9th Avenue el. southbound from 116th street during non-rush hours.	Investigation showed service generally adequate. Closed. Ill founded.
5657, Kunz I. R. T. Co.	Overcrowding in subway during afternoon rush hours at Grand Central station.	See disposition of C-4164.
5658, Thummel I. R. T. Co.	Carelessness of guards in operation of side doors.	Complainant informed of mechanical and administrative measures taken by company to secure proper and safe operation of side doors. Closed.
5660, Gitterman I. R. T. Co.	Inadequate lighting of subway stations.	Investigation showed plans under way to improve lighting facilities, and some improvements already made (noted also by complainant). Satisfied.
5661, Mack I. R. T. Co.	Poor service in Broadway subway between 96th street and 137th street during afternoon rush hour.	See disposition of C-3964. Great improvement noted by complainant.
5662, Fowler I. R. T. Co.	Instances of lack of heat in cars of 9th Avenue el. line.	Investigation showed order of Commission in Case 1170 generally complied with and exceptions too few to warrant further action by Commission.
5663, Cowen B. U. El. RR. Co.	Instance as typical of general practice of despatching trains from Coney Island with unheated cars.	Investigation showed order of Commission in Case 1170 generally complied with and exceptions too few to warrant further action by Commission.
5664, Clay L. I. RR. Co.	Smoke and cinders from locomotives stalled between Vernon and East avenues, Long Island City.	Complainant informed that company had agreed to keep locomotives away from this vicinity except in case of need. Satisfied.
5665, King Met. St. Ry. Co.	Long headway and refusal of motorman to stop on 4th and Madison Avenue line.	Complainant informed that minor delays were frequent on this line due to street congestion, but that service was generally adequate. Closed.
5666, Koch N. E. RR. Co.	Noisy operation on Ocean avenue in vicinity of Avenue F.	Investigated and made basis of formal proceedings (Case 1303) not concluded Jan. 1, 1911.
5667, Perry 2d Ave. RR. Co.	Flat wheels and noisy motors on 2d Avenue line.	Investigated and taken up with company, which made repairs as rapidly as practicable. Satisfied.
5668, Bousing L. I. RR. Co.	Request additional train stop at St. Albans, Montauk Division.	Covered by formal proceedings in Case 1293.
5669, Williams I. R. T. Co.	Delays in service on Broadway branch of subway above 96th st.	See disposition of C-3964.

File No., name of complainant and company complained against.	Subject.	Disposition.
5670, Coleman B. U. El. RR. Co.	Noisy operation of trains on Lexington Avenue line.	Investigation taken from premises of complainant showed no unusual noises due to operation of trains. Closed. Ill founded.
5671, Johnstone N. Y. & Q. Co. Ry. Co.	Instance of long delay on Corona line.	Taken up with company, which made satisfactory answer to complainant.
5672, Boyle <i>et al.</i> N. Y. C. & H. R. RR. Co.	Noisy and smoky operation on Putnam Division between Fordham road and 230th street.	Investigated and taken up with company, which instructed employees to avoid causes of complaint as far as possible. Closed.
5673, Gowen B. H. RR. Co.	Insolence of conductor on request for transfer.	Taken up with company, which disciplined employee at fault. Satisfied.
5674, Taxp. Alliance of Bk. N. E. RR. Co. B. H. RR. Co.	Alleged discrimination against Brownsville in transfer rearrangement of October 15th.	Investigation showed allegation without foundation. Complainant so informed. Closed. Ill founded.
5675, Brown B. U. E. RR. Co.	Lack of heat in cars of Brighton Beach train.	Explanation of terms of order 1170 made to complainant. Closed.
5676, McMackin I. R. T. Co.	Alleged theft of invention by company.	Complainant informed case a matter for courts and not within jurisdiction of Commission.
5677, Pierce N. Y. C. & H. R. RR. Co.	Noisy operation on Hudson River Division along Riverside drive.	Covered by formal proceedings in Case 1283, not concluded Jan. 1, 1911.
5678, Boyd N. Y. C. & H. R. RR. Co.	Noisy and smoky operation on Hudson River Division along Riverside drive.	Covered by formal proceedings in Case 1283, not concluded Jan. 1, 1911.
5679, Wetzel N. Y. C. & H. R. RR. Co.	Soft coal and cattle cars, Hudson River Division along Riverside drive.	Covered by formal proceedings in Case 1283, not concluded Jan. 1, 1911.
5680, Miller Met. St. Ry. Co.	Noise produced by application of brake shoes to wheels along 4th and Madison Avenue line.	See disposition of C-4612.
5681, Shipway B. H. RR. Co. B. Q. Co. & S. RR. Co.	Instance of refusal of conductor on Jamaica Avenue car to accept transfer from Broadway line.	Investigated and satisfactorily explained to complainant.
5682, Ogden N. Y. & Q. Co. Ry. Co.	Dangerous washout on Jackson Avenue embankment.	Taken up with company which filled in washout. Satisfied.
5683, Foote I. R. T. Co.	Slow operation on Broadway subway between 137th street and 96th street about 8 a. m.	See disposition of C-3964.
5684, Anonymous ... I. R. T. Co.	Slow operation in subway.	See disposition of C-4164.
5685, Sherwin N. E. RR. Co.	Request installation of stove at 54th Street station, West End line, and replacement of broken windows.	Taken up with company which installed stove and replaced broken windows. Satisfied.
5686, Martin N. Y. N. H. & H. RR. Co.	Operation of cars through Park Avenue tunnel without light.	Taken up with company which made satisfactory explanation.
5687, Mitchell I. R. T. Co.	Poor service and delays on Broadway subway above 96th street.	See disposition of C-3964.
5689, Reardon N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privilege.	Taken up with company which made satisfactory answer to complainant.
5690, Wash. Hgts. Taxp. Assn. I. R. T. Co.	Request operation of both elevators at 168th and 181st Street stations of Broadway subway.	Taken up with company which agreed to operate elevators all day. Satisfied.
5692, Treadwell B. H. RR. Co. N. E. RR. Co.	Curtailment of transfer privileges.	Investigation showed transfer facilities reasonably adequate. Closed. Ill founded.

530 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
5693, Powell N. Y. C. & H. R. RR. Co.	Noise, smoke and cattle trains on Hudson River Division along Riverside drive.	Covered by formal proceedings in Case 1283, not concluded Jan. 1, 1911.
5694, Bohn N. E. RR. Co.	Inadequate service on St. John's Place line.	See disposition of C-4199.
5695, Stafford N. E. RR. Co.	Inadequate through service on St. John's Place line.	See disposition of C-4199.
5696, Hopkins Met. St. Ry. Co.	"Car behind" at 34th street, Madison Avenue line.	Taken up with company and satisfactorily explained to complainant.
5698, Volk 2d Ave. RR. Co.	High step on 2d Avenue cars injurious to women.	Investigation showed car steps on this line of a standard height, varying not more than three-quarters of an inch. Closed. Ill founded.
5700, Hopkins Met. St. Ry. Co.	Conductor on 4th & Madison Avenue line dictatorial and insolent.	Taken up with company which instructed employees on this line to be more courteous toward the public. Satisfied.
5702, Jacobs Met. St. Ry. Co.	Failure of motormen of 4th Avenue line to stop at proper corner on signal of would-be passenger.	Taken up with company which made satisfactory answer to complainant.
5704, 26th Ward Bd. of Trade B. U. E. RR. Co.	Smoking in rear of last car of trains.	Taken up with company which agreed to give the matter special attention. Satisfied.
5705, Koher B. U. E. RR. Co.	Poor service and irregularly maintained schedule at Eastern Parkway station, Broadway and Fulton Street lines.	Investigation showed reasonable headway maintained. Closed. Ill founded.
5706, Mayer I. R. T. Co.	Interference to north-bound service on 3d Avenue el. in vicinity of 161st Street station due to operation of pay car.	Taken up with company which made satisfactory answer to complainant.
5707, Phillips, Tompkins N. E. RR. Co.	Request more than two cars of Church Avenue line to meet a certain boat at 39th street.	Taken up with company which added another car to service. Satisfied.
5709, Hassell et al... N. Y. & Q. Co. Ry. Co.	Petition protesting against proposed discontinuance of through service from E. 34th Street Ferry out Jackson avenue.	Complainant informed that through operation would be continued during rush hours. Satisfied.
5711, Snyder I. R. T. Co.	Inadequate heating of cars on Lenox Avenue branch of subway above 149th street.	Inspection showed no violations of order in Case 1170. Closed. Ill founded.
5712, Fischer I. R. T. Co.	Skipping of 130th Street station by 9th Avenue el. trains during morning rush hours.	Taken up with company which explained that station was skipped in an effort to clear congestion along the line. Closed.
5713, Plischke B. U. E. RR. Co. N. E. RR. Co.	Request fenders for surface trains, platform men at Atlantic Avenue station, etc.	Detailed report made to complainant. Closed.
5714, Central Flatbush Taxp. Assn. B. H. RR. Co. N. E. RR. Co.	Inadequate rush hour service on Nostrand Avenue and Ocean Avenue lines.	Investigated and taken up with company which increased service while traffic decreased due to new transfer system. Satisfied.
5715, Lockwood B. H. RR. Co.	Curtailment of transfer privilege.	Investigation showed reasonable transfer facilities at point complained of. Closed. Ill founded.
5716, Winterfield ... Met. St. Ry. Co.	Alleged short change by conductor on Lexington Avenue car.	Taken up with company which denied the facts. On failure of complainant to take exception, complaint was closed in default.
5717, Heacock B. U. E. RR. Co. So. Bk. Ry. Co.	Inadequate afternoon service on Culver line.	Complainant informed of improved service about to be inaugurated. Satisfied.

File No., name of complainant and company complained against.	Subject.	Disposition.
5719, McCafferty..... L. I. RR. Co.	Aileged excess fare on Montauk Division to Long Island City.	Complainant informed rates charged according to properly filed tariff and that specific instance of over charge would be given attention. Closed.
5721, Mayer N. E. RR. Co. B. H. RR. Co.	Curtailment of transfer privilege.	Covered by formal proceedings in Case 1275.
5723, Taxp. Imp. Assn. of Windsor Terrace	Request extension of Hamilton Ferry shuttle service and opening of waiting room at Smith and 9th streets.	Investigation showed present shuttle service adequate. Waiting room reopened by company and put in good condition. Satisfied.
Coney I. & B. RR. Co. 5724, Nichols I. R. T. Co.	Delays and poor service on Lenox Avenue branch of subway.	See disposition of C-4164.
5725, Kelly I. R. T. Co.	Delays and poor service on Lenox Avenue branch of subway.	See disposition of C-4164.
5726, Masters N. Y. & Q. Co. Ry. Co.	Slow operation and inadequate service on Flushing line between Parsons Avenue and Long Island City Ferry.	New cars purchased by company and added to schedule on this line. Satisfied.
5727, West Corona Bus. Men's & Prop. O. Assn. N. Y. & Q. Co. Ry. Co.	Request 15-minute headway on Flushing and College Point lines during afternoon and evening from Long Island City Ferry.	Investigation showed existing arrangement with continuance of shuttle service best during non-rush hours. Closed.
5728, Miller N. Y. C. & H. R. RR. Co.	Soft coal smoke on Hudson River Division along Riverside drive.	Covered by formal proceedings in Case 1283, not concluded Jan. 1, 1911.
5729, Berwin I. R. T. Co.	Request lowering of seats opposite side doors in subway cars.	Complainant informed proposed operation would be an added danger. Closed. Ill founded.
5730, Connick N. Y. C. & H. R. RR. Co.	Cattle cars and soft coal smoke on Hudson River Division along Riverside drive.	Covered by formal proceedings in Case 1283, not concluded Jan. 1, 1911.
5731, Hutchinson ... I. R. T. Co.	Delays to southbound traffic on Broadway subway above 96th street during morning rush hours.	See disposition of C-3964.
5732, Tuska I. R. T. Co.	Suggest operation of 2d Avenue trains as expresses and 3d Avenue trains as locals during rush hours.	Complainant informed that traffic conditions would not justify so radical an operating change. Closed. Ill founded.
5733, Trask Bldg. Co. I. R. T. Co.	Failure to keep lights under subway station at Prospect Avenue lit.	Investigation showed matter properly under jurisdiction of Department of Water Supply, Gas & Electricity. Complainant so informed. See disposition of C-4164.
5735, Weinstein I. R. T. Co.	Poor service in subway, Lenox Ave. Division.	Terms of order in Case 1170 explained to complainant, and no further action deemed necessary without explicit complaint.
5739, Munger Met. St. Ry. Co.	Cars on Broadway improperly heated. Requesting information as to heat regulations.	Investigation showed company excusably handicapped but making proper effort to clear way. Complainant so informed. Closed.
5742, VanGelder L. I. RR. Co.	Blockade to eastbound train service at Lawrence, Far Rockaway Division after snow-storm.	Necessity for such action explained to complainant, together with conditions on Brooklyn Bridge. Closed.
5743, Stimpson B. U. E. RR. Co.	Turning back of Brighton Beach train, marked "Park Row" at Kings County terminal during morning rush.	
5744, Ernst B. H. RR. Co.	Delays to 3d Avenue service.	Taken up with company which made satisfactory answer to complainant.
5745, White B. R. T. Co.	Curtailment of transfer privileges.	Covered by formal proceedings in Case 1275.
5746, Sieker B. U. E. RR. Co.	Inadequate facilities at Atlantic Avenue station, 5th Avenue el.	See disposition of C-4347.

532 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
5747, Bennett <i>et al.</i> ... B. U. E. RR. Co.	Turning back of Brighton Beach trains, marked "Park Row," at Sands street.	See disposition of C-5743.
5748, International Brotherhood of Electrical Workers B. R. T. Co.	Alleged general disregard of order in Case 1170.	On failure of complainant to furnish specific instances, complaint was closed in default.
5749, Lehman B. U. E. RR. Co.	Inadequate service and overcrowding on Canarsie line south from New Lots road.	Investigated and taken up with company which agreed to increase service. Satisfied.
5750, Cokefair B. H. RR. Co.	Inadequate service on Flatbush Avenue line during non-rush hours.	Taken up with company which inaugurated new schedule calling for considerable increase in service. Satisfied.
5751, Friedman I. R. T. Co.	Incivility of colored employee at 59th Street station, 3d Avenue el.	Taken up with company which disciplined employee. Satisfied.
5752, Williams I. R. T. Co.	Poor service in subway.	See disposition of C-4164.
5753, Stilson B. U. E. RR. Co.	Overcrowded two-car train service after 9 p. m. Inadequate heating.	Investigation showed no instances of non-compliance with order in Case 1170. For service see disposition of C-5491.
5756, Murphy Bros. N. Y. C. & H. R. RR. Co.	Slippery entrance to Melrose Freight Yard.	Taken up with company which agreed to cover slippery pavement with cinders or gravel. Satisfied.
5757, White I. R. T. Co.	Incivility of colored employee at 59th Street station of 3d Avenue el.	See disposition of C-5751.
5758, Clarke I. R. T. Co.	Cold cars on train leaving 180th street, 3d Avenue el., about 8 a. m.	Taken up with company which made satisfactory answer to complainant.
5759, Farrell I. R. T. Co.	Inadequate heating of a car on 2d Avenue el. line.	Taken up with company which made satisfactory answer to complainant.
5760, Taxp. Assn. 32d Ward B. H. RR. Co.	Request operation of more cars on Flatbush Avenue line between 5:30 and 7 p. m.	See disposition of C-5750.
5761, Lang I. R. T. Co.	Inadequate and improperly operated shuttle service on 6th Avenue line, 50th to 58th st.	See disposition of C-5206.
5763, Brame, <i>et al.</i> S. I. Mid. Ry. Co.	Instance of cold car on Silver Lake line.	Taken up with company which made satisfactory answer to complainant.
5764, Hanf I. R. T. Co.	Suggest division of 14th Street stairway in subway by iron rail.	Complainant informed rail would take space needed by moving crowd. Closed. Ill founded.
5766, Claussen C. I. & B. RR. Co.	Inadequate service on Smith Street line south of Park circle.	Taken up with company which made satisfactory answer to complainant.
5767, Chadwick I. R. T. Co.	Long headway on 6th Avenue el. line.	Taken up with company which made satisfactory answer to complainant.
5769, Levenson Union Ry. Co. Third Ave. RR. Co.	Lack of heat and congestion on Morris Avenue and 3d Avenue line.	Detailed explanation of conditions made to complainant. Satisfied.
5770, Garbe I. R. T. Co.	Rubbish and waste paper bags on platform of city station, 3d Avenue el. in way of passengers.	Taken up with company which made satisfactory answer to complainant.
5772, Davis B. H. RR. Co.	Instance of overcrowding of car on Putnam & Halsey Street line during non-rush hours.	Taken up with company which made satisfactory answer to complainant.
5773, Gibbons 42d St. M. & St. N. Ave. Ry. Co.	Long headway on 10th Avenue branch.	Investigation showed service fair and no further action by Commission justified at the time.
5774, Jenner Met. St. Ry. Co.	Alleged instance of turning back of crowded car of Lexington Avenue line at 24th street.	Investigation failed to discover facts of case. Closed.

File No., name of complainant and company complained against.	Subject.	Disposition.
5775, Fellows B. H. RR. Co.	Instance of lack of heat on Nostrand Avenue line.	Taken up with company which denied the facts as stated by complainant. Closed.
5777, Bronson I. R. T. Co.	Dangerous operation and overcrowding at end of doors of local trains at 15th Street station, subway.	Matter investigated. No further action warranted in this instance.
5778, Gurlitz I. R. T. Co.	Overcrowding in subway during non-rush hours and Sundays.	See disposition of C-4150.
5779, Wallace Met. St. Ry. Co.	Discourteous conductor on 14th Street and Williamsburg bridge line.	Taken up with company which agreed to take proper action in the matter. Satisfied.
5781, Burhans L. I. RR. Co.	Inadequate shelter at Woodside.	See disposition of C-5210.
5782, Cleland I. R. T. Co.	Delays to trains above 96th street due to alleged faulty block system.	Investigation showed block system in perfect condition. Closed. Ill founded.
5785, Abrams I. R. T. Co.	Delays to Broadway subway service above 103d street during morning rush.	See disposition of C-3964.
5787, Dormer L. I. RR. Co.	Failure of trains to observe schedule and make stops at Clarenceville.	Investigation showed complaint well founded, but no further action justified in view of promise of company to avoid future similar instances.
5788, Bendelari N. E. RR. Co.	Poor service on Church Avenue line due to single track operation caused by excavation for water pipes.	Investigation showed conditions of service necessary for a week or ten days following complaint. No action by Commission deemed necessary under the circumstances.
5789, Bainbridge I. R. T. Co.	Failure of subway train to stop at 79th Street station.	Taken up with company which made satisfactory answer to complainant.
5791, Rosenthal I. R. T. Co.	Instances of failure to operate side doors in subway.	Explained to complainant that such instances were due to failure of mechanism or other emergency and were not general practice. Closed. Ill founded.
5792, Lohman I. R. T. Co.	Request an additional stairway at 149th St. Station, 3d Avenue el.	Investigation showed that such a stairway would accommodate but a small proportion of traffic at this point. Closed. Ill founded.
5793, Rosenthal I. R. T. Co.	Request underground transfer passage at 135th Street station, Lenox Avenue subway.	Investigation showed such a passage would accommodate very little traffic, in view of the transfer station at 110th St. Closed.
5795, Michenor N. Y. & Q. Co. Ry. Co.	Lack of heat in cars of Flushing line between 5 and 8 a. m.	Investigation showed order of Commission in Case 1170 being generally complied with. Closed. Ill founded.
5797, Fouchia I. R. T. Co.	Improper distribution of train service south-bound at 96th street.	See disposition of C-4164.
5798, Cullen <i>et al.</i> ... I. R. T. Co.	Inadequate heating of 2d Avenue el. trains between 5 and 7:30 a. m.	Investigation showed supply of heat in cars of this line more liberal than ever before, and no violations of order in Case 1170. Closed. Ill founded.
5799, Markz 42d St. M. & St. N. Ave. Ry. Co.	Lack of heat in all surface cars.	Investigation showed terms of order in Case 1170 generally complied with. Closed. Ill founded.
5800, Boniface So. Bk. Ry. Co.	Dirty and unheated waiting room at 13th avenue and 37th st., Culver line.	Taken up with company which arranged to maintain waiting room in proper condition. Satisfied.
5802, Sternberger .. B. H. RR. Co.	Instance of improper ventilation of car of Nostrand Avenue line.	Taken up with company which made satisfactory answer to complainant.
5806, Umsted I. R. T. Co.	Instance of slow operation and lack of heat in 9th Avenue train.	Investigation showed instances complained of rare and terms of order in Case 1170 generally complied with. Closed.
5809, Struss 42d St. M. & St. N. Ave. Ry. Co.	Poor service to 34th St. Ferry.	Investigation showed reasonable service provided. Closed. Ill founded.

File No., name of complainant and company complained against.	Subject.	Disposition.
5810, Dobbie B. U. El. RR. Co.	Request operation of more trains to Sands Street loop during morning rush hours.	Explained to complainant that additional service of the character desired was impracticable because of the limitations of the tracks between Navy St. and the bridge. Closed. Ill founded.
5812, Mandarinino N. E. RR. Co.	Protest against construction of fence across 14th avenue at 62d st., by railroad company.	Investigation showed matter had been taken before court and no action by the Commission was required. Complainant so informed.
5813, Bryan I. R. T. Co.	Carelessness of platform men at Grand Central station. Various suggestions relative to subway operation.	Acknowledged and closed without further action.
5814, Levin I. R. T. Co.	Poor service and slow running time in subway.	See disposition of C-4164.
5818, Cairns B. Q. Co. & S. RR. Co.	Holding of cars of Jamaica Ave. line around 3:30 a. m. for newspaper bundles.	Taken up with company which made satisfactory answer to complainant.
5819, Bannin I. R. T. Co.	Poor rush hour service in subway.	See disposition of C-4164.
5820, Hudson N. E. RR. Co.	Inadequate through service on St. John's Place line.	See disposition of C-4199.
5821, Fisher I. R. T. Co.	Slow operation and poor service on Lenox Avenue subway during morning rush hours.	See disposition of C-4164.
5822, Permanent Census Board Met. St. Ry. Co.	Additional fare demanded by conductor after "car ahead" on 4th & Madison Avenue line at 86th st.	Taken up with company which made satisfactory answer to complainant.
5823, Kielich I. R. T. Co.	Instance of slow operation between Freeman street and Brooklyn bridge.	Taken up with company which made satisfactory answer to complainant.
5824, Earle N. E. RR. Co.	Inadequate through service on St. John's Place line.	See disposition of C-4199.
5825, Kato 2d Ave. RR. Co. et al.	Dangerous operation of trolley cars, etc., about Manhattan terminal of Queensboro bridge.	Investigation showed traffic conditions safely handled at point complained of. Closed. Ill founded.
5826, Robitscher I. R. T. Co.	Request additional stairway at downtown side of Franklin St. station, 9th Ave. el.	Investigation showed existing stairway facilities adequate. Closed. Ill founded.
5827, Cokefair B. H. RR. Co.	Turning back of cars of Lorimer Street line marked "Prospect Park" at Carroll St.	Taken up with company which made satisfactory answer to complainant.
5830, Burrell N. Y. & L. I. Tr. Co.	Instance of long delay during evening rush hour on Jericho Turnpike Division.	Taken up with company which made satisfactory answer to complainant.
5831, Strassman 42d St. M. & St. N. Ave. Ry. Co.	Long headway on 10th Avenue branch at night.	Taken up with company which made satisfactory explanation to complainant.
5833, Wright B. U. E. RR. Co. B. H. RR. Co. et al.	Instance of long headway at Summer Avenue during morning rush hours, Fulton St. el. Curtailment of transfer privilege.	Taken up with company which made satisfactory answer to complainant.
5834, First Progressive Rep. Club. So. Bk. Ry. Co.	Turning back of Culver line train marked "Park Row" at Sands street.	Detailed explanation of conditions governing train operation across Brooklyn Bridge made to complainant. Closed.
5835, Goldstein L. I. RR. Co.	Request removal of pedestrian bridges at Sackman street and Howard avenue, Atlantic Division.	On failure of complainant to press matter formally as suggested complaint was closed in default.

File No., name of complainant and company complained against.	Subject.	Disposition.
5836, Goldstein L. I. RR. Co.	Request reduction of express fare between Flatbush avenue and East New York.	Investigated and made the basis of formal proceedings (Case 1307) not concluded Jan. 1, 1911.
5837, King 42d St. M. & St. N. Ave. Ry. Co.	Request that passengers be permitted to board and alight by left side of platform on Broadway above 59th street.	Investigation showed such practice not consistent with use of P-A-Y-E cars. Closed. Ill founded.
5839, Berlin B. H. RR. Co.	Failure of motormen of Putnam & Halsey St. line to clear far crossing on west side of Broadway.	Taken up with company which made satisfactory answer to complainant.
5843, Walter C. I. & B. RR. Co.	Apprehended dangerous condition on Coney Island Ave. when the same is parked because of high speed of cars in summer.	Complainant informed of action taken by legislature and Board of Estimate and Apportionment and of proceedings of Commission in Case 420. Closed without further action.
5845, McGowan B. U. E. RR. Co.	Turning back of Lexington Ave. trains marked "Park Row" at Sands St.	Complainant informed that on an average less than 15 trains out of 900 are so turned back and then for good cause. Closed. Ill founded.
5846, Heacock B. Q. Co. & S. RR. Co.	Request operation of Reid Ave. line south from 16th Ave. to Parkville.	Investigation showed service afforded by Culver line reasonably adequate. Closed. Ill founded.
5847, Dunne L. I. Elec. Ry. Co.	Request waiting room at Fulton and Washington Sts., Jamaica.	Investigation showed no unusual conditions at this point warranting expenditure necessary for waiting room. Closed. Ill founded.
5850, Jackson I. R. T. Co.	Failure to properly announce interruption to express service at Grand Central station.	Investigation showed delay of a minor nature and an announcement of the same would only have created confusion. Closed. Ill founded.
5851, Seligsberg N. Y. C. Int. Ry. Co.	Failure of conductor of Aqueduct Ave. line to have supply of 8c. transfer tickets.	Taken up with company which explained that conductor and inspector at fault had been disciplined. Closed.
5853, Carlton Third Ave. RR. Co.	Lack of heat in cars of 3d and Amsterdam Ave. line.	Investigation showed no violation of terms of order in Case 1170. Closed. Ill founded.
5854, Kettnis S. I. Mid. Ry. Co.	General complaint of failure of cars to connect with ferry boats for New York.	On failure of complainant to give specific information as requested, complaint was closed on default.
5855, Gause I. R. T. Co.	Poor service and slow operation between 149th St. and 96th St., Lenox Ave. subway.	See disposition of C-4164.
5856, Schnackenberg I. R. T. Co.	Overcrowding of New York bound platform of Borough Hall subway station.	Explanation of travel conditions on subway between Brooklyn and New York made to complainant. Closed.
5857, Miller I. R. T. Co.	Request exchange of transfers between subway and elevated systems at 66th St.	Complainant informed traffic conditions would not warrant this exchange, nor could the company be compelled to do this because of its contract terms with city. Closed. Ill founded.
5858, Jacobson I. R. T. Co.	Slow operation and poor service on Lenox Ave. branch of subway.	See disposition of C-4164.
5859, Wily I. R. T. Co.	Various suggestions to overcome difficulties of ingress and egress of subway cars.	Complainant informed suggestions not deemed practicable, or advisable. Closed. Ill founded.
5860, McConnell I. R. T. Co.	Instance of delay to train on Broadway branch of subway.	Taken up with company which made satisfactory answer to complainant.
5861, Wincor N. Y. C. Int. Ry. Co.	Request universal exchange of transfers with Union Railway lines at 177th St. and Boston Road.	Covered by formal proceedings in Case 1299, not concluded Jan. 1, 1911.

536 PUBLIC SERVICE COMMISSION -- FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
5866, Krom, Hunter. N. Y. C. & H. R. RR. Co.	Slippery condition of team approach to Melrose yard, Harlem division.	See disposition of C-5756.
5871, Wechsler Met. St. Ry. Co.	Noisy operation at 116th St. and Lenox Ave.	Investigated and taken up with company. Subsequent inspections showed trackmen greasing curves, etc. Satisfied.
5874, Smith I. R. T. Co.	Inconvenient method of transferring between 2d and 3d Ave. lines at 129th St.	Investigation showed present system of transferring passengers at 129th St. the most practicable, pending proposed reconstruction of elevated structure. Closed.
5875, Berry I. R. T. Co.	Poor non-rush and holiday service in subway.	See disposition of C-4156.
5879, Morrison I. R. T. Co.	Overcrowding in subway, Broadway branch.	See disposition of C-4164, also C-3964.
5886, Brundage I. R. T. Co.	Delays at 103d St. station, Broadway subway. General poor service on Broadway branch.	See disposition of C-3964.
5893, Inquisitor Publishing Co. So. Bk. Ry. Co.	Request operation of Reid Ave. line south from 16th Ave. to Parkville.	See disposition of C-5846.

APPENDIX C.

INFORMAL COMPLAINTS RELATING TO GAS AND
ELECTRIC COMPANIES, 1910.

APPENDIX C.

INFORMAL COMPLAINTS RELATING TO GAS AND ELECTRIC COMPANIES, 1910.

File No., name of complainant and company complained against.	Subject.	Disposition.
690, Fitzpatrick..... Brooklyn Union Gas Co.	Bill rendered for alleged shortage in prepayment meter.	Matter taken up with company and adjusted.
693, Mrs. Glynn..... Flatbush Gas Co.	Bill rendered for alleged shortage in prepayment meter.	Matter taken up with company which reported that meter had been tampered with and that consumer had signed agreement to make good such shortage. Complaint dismissed.
694, Lidz New York Edison Co.	Bills rendered for electric service.	Hearing had before Commissioner Maltbie, at which company agreed to adjust matter to consumer's satisfaction.
696, Lawson Kings Co. Ltg. Co.	Inadequate supply of gas.	Shown upon investigation that the trouble was due to stoppage in fixtures. Consumer so notified.
697, Untermyer United El. Lt. & P. Co.	Alleged excessive charges for electricity.	Investigation disclosed certain defects in installation on consumer's premises, of which he was notified.
698, Luth Flatbush Gas Co.	Bill rendered for installing service.	Held after hearing that company had no legal right to make charge for repaving street in front of complainant's premises.
701, Weiner Newtown Gas Co.	Discontinuance of gas supply.	Shown upon investigation that bills had been regularly rendered and had not been paid, whereupon company discontinued supply. Complaint dismissed.
702, Ryshpan N. Y. Mutual Gas Lt. Co.	Alleged refusal to pay rebate as result of meter test.	Shown upon investigation that rebate had been made to consumer in whose name account was carried.
703, Seyfarth N. Y. & Q. El. Lt. & P. Co.	Refusal to supply electric current.	Matter taken up with company which agreed to supply consumer with current.
704, Krakauer Consolidated Gas Co.	Inadequate supply of gas.	Investigation disclosed fact that inadequate supply was due to rust in house pipes, which were cleared by company.
705, No name Brooklyn Union Gas Co.	Investigation as to certain causes of asphyxiation.	Shown upon investigation that the causes in question were the result of accidents and suicidal attempts.
706, Casey Brooklyn Union Gas Co.	Inadequate supply of gas.	Investigation revealed trap in bottom of house riser, which was cleared by the company.
707, Dennis Brooklyn Union Gas Co.	Excessive bill.....	Shown upon investigation that the meter had been over-read. Corrected bill sent to consumer.
708, O'Connell Consolidated Gas Co.	Inadequate supply of gas.	Shown upon investigation that service pipe had become frozen. Matter taken up with company, which removed the cause of trouble.
709, O'Neil Brooklyn Union Gas Co.	Inadequate supply of gas.	Investigation disclosed the fact that trouble was due to faulty meter, which was changed by company and service restored.
711, Muller Brooklyn Union Gas Co.	Inadequate supply of gas.	Investigation disclosed trap in house pipes, which was removed by company.
712, Marks Consolidated Gas Co.	Inadequate supply of gas.	Investigation disclosed the fact that poor supply was due to service being frozen. Matter taken up with company which remedied cause of complaint.

540 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
713, Gregory Brooklyn Union Gas Co.	Shortage in prepayment meter.	After hearing matter was adjusted between consumer and company.
714, Jolly Consolidated Gas Co.	Discontinuance of gas supply.	Shown upon investigation that consumer was indebted to company for several months' gas bills. Complaint dismissed.
715, Mrs. Dunn Brooklyn Union Gas Co.	Failure to set prepayment meter.	Shown upon investigation that consumer's premises were not properly piped for such meter. Complaint dismissed.
716, Mrs. Bagg Consolidated Gas Co.	Excessive gas pressure.	Matter taken up with company which reported that pressure had been adjusted to consumer's satisfaction.
717, Unverzagt Standard Gas Lt. Co.	Inadequate supply of gas.	Investigation disclosed house piping inadequate. Matter taken up with company, which increased size of piping and remedied cause of complaint.
718, Slutzky Brooklyn Union Gas Co.	Discontinuance of gas supply.	Shown upon investigation that supply had been discontinued improperly. Matter taken up with company and supply restored.
719, Greater N. Y. Phono. Co. New York Edison Co.	Discontinuance of electric supply.	Shown upon investigation that complainant was indebted to company in three months' bills. Complaint dismissed.
720, Scheinman Brooklyn Union Gas Co.	Threatened discontinuance of gas supply for alleged non-payment of bills.	Shown upon investigation that company had made error in consumer's account. Matter adjusted to consumer's satisfaction.
721, Stevenson Brooklyn Union Gas Co.	Poor pressure and quality of gas.	Investigation disclosed the fact that pressure varied materially on different days. Matter taken up with company, which was directed to remedy same.
722, Donnelly Brooklyn Union Gas Co.	Alleged shortage in prepayment meter.	Matter taken up with company and complaint adjusted between consumer and company.
723, Healy New York Edison Co.	Method of rendering bills.	Shown upon investigation that method of rendering bills by the company was in accordance with its usual practice. Complaint dismissed.
724, Levison Consolidated Gas Co.	Failure to rebate under 80c. Gas Law.	Matter taken up with company, and complaint adjusted.
725, Foster Standard Gas Lt. Co. and Consolidated Gas Co.	Excessive charges for gas.	Shown upon investigation that consumer had been billed by both companies in accordance with registration as shown by meters on his premises, no error in these accounts being disclosed.
726, Price New Amsterdam Gas Co.	Inadequate supply of gas.	Shown upon investigation that poor supply of gas was due to inadequate house pipe. Consumer so notified.
727, Flood Consolidated Gas Co.	Failure to rebate under 80c. Gas Law.	Matter taken up with company and complaint adjusted with consumer.
728, Central Plumbers' Supply Co. New York Edison Co.	As to bill rendered for electricity.	Shown upon investigation that meter had been tested by company prior to complainant's application to the Commission for relief. Complaint dismissed.
729, Hurrell Jamaica Gas Light Co.	Failure to supply gas.	Shown upon investigation that delay was due to condition of the ground, which was frozen. Service was installed upon receipt of communication from the Commission.
730, Harrison Brooklyn Union Gas Co.	Inadequate supply of gas.	Matter taken up with company which remedied cause of complaint.
731, Halft Edison El. Ill. Co.	As to rate charged for electricity.	Shown upon investigation that the consumer had been billed on wrong form of contract. Matter taken up with company and corrected bill sent to consumer.
732, Johnson Bros. . New York Edison Co.	Discontinuance of supply of electricity.	Claimed by company that the meter had been tampered with. Supply of current restored pending adjustment of dispute between complainant and company.

File No., name of complainant and company complained against.	Subject.	Disposition.
733, Petrino Brooklyn Union Gas Co.	Threatened discontinuance of gas supply.	Shown upon investigation that company had threatened to discontinue supply of gas for non-payment of alleged shortage in prepayment meter. After hearing before a member of the Commission it was held, in view of the circumstances, that the company should be responsible for the alleged shortage.
734, Temple Forum.. N. Y. & Queens El. Lt. & P. Co.	Amount of deposit required.	Shown upon investigation that the amount of deposit required equaled actual consumption for two months, in accordance with provisions of the Transportation Corporations Law.
735, Cannonaco Consolidated Gas Co.	Failure to secure rebate under 80c. Gas Law.	Matter taken up with company and consumer's account properly adjusted.
736, Kufeld Consolidated Gas Co.	Alleged damage to gas stove.	Company notified to correct the same.
737, Leopold Central Union Gas Co.	Overcharges for gas....	Shown upon investigation that through a series of misreadings of meter, consumer had been overcharged in the amount of \$160. Matter investigated by the Commission and error discovered. Corrected bills sent consumer by company.
738, S. Lekstein.... Brooklyn Union Gas Co.	Discontinuance of gas supply.	Shown upon investigation that supply was discontinued by company because of indebtedness of consumer for gas. Complaint dismissed.
739, M. Scheinkel.... Brooklyn Union Gas Co.	Inadequate supply of gas.	Shown upon investigation that consumer's complaint related to amount of bills rather than supply of gas. Consumer notified that he could have his meter tested upon application to the Commission.
740, Murphy United Elec. Lt. & P. Co.	Fluctuation in voltage.	Investigation disclosed the fact that the fluctuation was not sufficient to cause poor lighting and at consumer's request complaint was held in abeyance.
741, Affeld Brooklyn Union Gas Co.	Leakage of gas.....	Shown upon investigation that leak was in consumer's house pipes. Consumer so notified.
742, Bridges Brooklyn Borough Gas Co.	As to amount of deposit required for gas.	Shown upon investigation that consumer's supply had been discontinued for non-payment of bills and that the amount of deposit was within the requirements of the Transportation Corporations Law. Complaint dismissed.
743, Fox Kings County Light- ing Co.	Leakage of gas.....	Shown upon investigation that matter had been taken up with company and leak repaired on day of receipt of complaint.
744, Jacoby Consolidated Gas Co.	Alleged overindex.....	Shown upon investigation index had been properly taken.
745, Schwarzschild & Sulzberger New York Edison Co.	As to amount of rebate due as a result of test of meter.	Shown upon investigation that company rebated consumer in accordance with its stated practice.
746, Fitzhugh, Jr.... Brooklyn Union Gas Co.	Shortage in prepayment meter.	Matter taken up with company and complaint adjusted between complainant and company.
747, Rosenfeld Consolidated Gas Co.	As to pressure of gas and construction of gas ranges.	Matter taken up with company. Investigation disclosed that the range had not been properly adjusted. Adjustment was made and proper pressure secured.
748, VanLoan United Elec. Lt. & P. Co.	As to bills rendered for electricity.	Investigation disclosed fact that company had tested meter before complaint was made to the Public Service Commission. No clerical error was discovered in bills as rendered.

542 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
749, Mrs. Schneider. Central Union Gas Co.	Discontinuance of gas supply.	Shown upon investigation that company had discontinued supply, it claimed, through error. Supply of gas restored upon notification from Commission.
750, Everetson & Borling Edison El. Ill. Co.	Monthly guarantee required for electricity.	Shown upon investigation that consumer's guarantee had been increased from \$1 to \$2 per month. Held after hearing that company was not entitled to charge consumer in excess of his original agreement.
751, Mrs. McCann... Brooklyn Union Gas Co.	Wrong billing.	Shown upon investigation that the company had set meter on premises with an index and had taken the same improperly. Bill as rendered called for payment of \$8.64. Corrected bill reduced amount to 64 cents.
752, Spoffard Estates Central Union Gas Co.	Inability to secure gas.	Shown upon investigation that consumer's complaint related to failure to place lamps in street in front of building owned by it. Complainant was referred to city department having jurisdiction in such matters.
753, C. W. Seamans Edison El. Ill. Co.	Inadequate supply of electricity and alleged excessive bills.	Consumer notified that upon filing specific complaint matter would be investigated by Commission. No further communication being received complaint was dismissed.
754, Tarantino Consolidated Gas Co.	Failure to secure rebate under 80c. Gas Law.	Matter taken up with company and amount of rebate paid the consumer.
755, Wurlitzer New York Edison Co.	Overcharge for electric current.	Shown upon investigation that consumer's meter had been wrongly connected. Amount of bill adjusted to consumer's satisfaction.
756, Pulvermacher.. Consolidated Gas Co.	Inadequate supply of gas.	Investigation disclosed fact that inadequate supply was due to defective meter. Matter taken up with company, meter changed and supply of gas made adequate.
757, Anderson Consolidated Gas Co.	Defective gas range....	Matter taken up with company and cause of complaint remedied.
758, St. Vincent's Home Edison El. Ill. Co.	Excessive charge for electricity.	Shown upon investigation that consumer was being billed in accordance with schedule of rates as filed by company with the Commission. Complaint dismissed.
759, Silk Brooklyn Union Gas Co.	Refusal to rebate as a result of test. of meter.	Matter taken up with company and complaint adjusted with consumer.
760, Lemmo Woodhaven Gas Light Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified of same and corrected bill sent consumer.
760a, Goldberg Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent consumer.
760b, Eisenbach & Company Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent consumer.
760c, Freudel N. Y. Mutual Gas Lt. Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent consumer.
760d, Hollander New Amsterdam Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent consumer.
760e, Marcus New Amsterdam Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent consumer.
760f, Alperstein New Amsterdam Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent consumer.

File No., name of complainant and company complained against.	Subject.	Disposition.
760g, Goldgraben Standard Gas Light Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent consumer.
761, Robinson N. Y. & Richmond Gas Co.	Alleged overindex.....	Shown upon investigation that there was a question as to accuracy of index. Matter taken up with company and account adjusted with consumer.
762, Hughes New York Edison Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified of same and corrected bill sent consumer.
763, Crandall New Amsterdam Gas Co.	As to deposit required for gas.	Shown upon investigation that a deposit of \$3 had been required by company because of robberies in prepayment meters in vicinity. Consumer so notified.
764, Alwyn Court... New York Edison Co.	Excessive rate for electricity.	Shown upon investigation that consumer had been billed on retail lighting schedule. Matter taken up with company which stated that rate was merely tentative pending signing of proper wholesale contract.
765, Bookman..... United El. Lt. & P. Co.	Refusal to instal service.	Matter taken up with company which arranged to furnish consumer with necessary service.
766, Apfel Brooklyn Union Gas Co.	As to rebate allowed as a result of test of meter.	Shown upon investigation that company had allowed rebate for the full period of time that meter had been on consumer's premises. Complaint dismissed.
767, Mrs. Bleimeyer. New Amsterdam Gas Co.	Refusal to set prepayment meter except upon payment of deposit by consumer.	Matter taken up with company which reported that deposit was required because of robberies in prepayment meters in that vicinity. Consumer so notified.
768, Bates United El. Lt. & P. Co.	Delay in supplying electricity.	Matter taken up with company and service furnished consumer.
769, Frankel Display Fixture Co. New York Edison Co.	Overcharges for electric current.	Shown upon investigation that consumer's meter had been improperly connected by company and that he had been charged for the consumption of another tenant in same building. Amount of overcharge refunded to consumer.
770, Meyer Brooklyn Union Gas Co.	Inadequate supply of gas.	Shown upon investigation that cause of trouble was due to location of house pipes. Consumer so notified.
771, Beatty Brooklyn Union Gas Co.	Shortage in prepayment meter.	Shown upon investigation that the coin attachment failed to close, allowing gas to pass through in excess of the quantity due consumer. Consumer so notified.
772, Mrs. Benedict.. New York Edison Co.	As to rebate allowed as a result of test of meter.	Matter taken up with company and rebate adjusted to consumer's satisfaction.
773, Grace Brooklyn Union Gas Co.	As to rebate allowed as a result of test of meter.	Shown upon investigation that company had rebated consumer the percentage fast for half the period of time that meter had been on his premises.
774, Ulbracht Edison El. Ill. Co.	Inquiry as to minimum monthly charge as required by company.	Copy of opinion of Commission in a similar case furnished consumer.
775, Reilly Consolidated Gas Co.	Removal of meter without notice.	Shown upon investigation that company had removed meter. Upon notification from Commission meter was reset on consumer's premises.
777, Hutwelder & Briggs Edison Elec. Ill. Co.	As to form of contract for power service.	Shown upon investigation that company had not accepted proposed form, and stated that same would not be accepted until submitted to Public Service Commission for approval.
778, Myers Queens Borough G. & E. Co.	Inadequate supply of gas.	Matter taken up with company which had consumer's housepipes cleared and supply made adequate.

544 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
779, Brierley Flatbush Gas Co.	Leakage in meter.....	Investigation revealed leak in one of the couplings at the meter which was tightened; conditions left satisfactory.
780, McEwan Brooklyn Union Gas Co.	Incorrect billing.....	Shown upon investigation that consumer had been billed on wrong meter. Matter taken up with company and corrected bill sent consumer.
781, Friedman Bros. & Odelman New York Mutual Gas Lt. Co.	Incorrect billing.....	Shown upon investigation that consumer had been billed on wrong meter. Matter taken up with company and corrected bill sent consumer.
782, Johnson Standard Gas Light Co.	Leakage of gas.....	Shown upon investigation that meter leaked at inlet connection. Matter taken up with company and new meter set.
783, Cimilluco..... Consolidated Gas Co.	Failure to return deposit.	Shown upon investigation that company had tendered amount of deposit less consumer's unpaid bills, which consumer refused to accept. Complaint dismissed.
784, Springer Brooklyn Union Gas Co.	Alleged overcharge for gas supplied.	Shown upon investigation that consumer had complained to company and that meter had been removed before application was made to Public Service Commission. Company reported that consumer's meter had been found correct.
785, Salant & Salant Brooklyn Union Gas Co.	Failure to make rebate as a result of test of meter by the Public Service Commission.	Matter taken up with company and credit allowance made to consumer.
786, Gaffney Brooklyn Union Gas Co.	As to rebate allowed as result of test of meter by the Public Service Commission.	Shown upon investigation that company had allowed full percentage fast for half the time meter had been set on consumer's premises.
787, Schwenk Central Union Gas Co.	Alleged excessive charge for gas.	Matter taken up with company and account adjusted with consumer.
788, Widmayer New York Edison Co.	Delay in installing electric service.	Investigation disclosed fact that delay was due to improper wiring in consumer's premises. Matter taken up with company and arrangements made to instal service.
789, Wood Edison Elec. Ill. Co.	Shortage in prepayment meter.	Shown upon investigation that prepayment attachment was defective and that meter indicated a consumption larger than amount of money secured from attachment. Consumer so notified.
790, Elson New Amsterdam Gas Co.	As to deposit required for setting prepayment meter.	Matter taken up with company which agreed to set meter without deposit upon consumer's furnishing evidence as to his responsibility.
791, Vogel Brooklyn Union Gas Co.	As to amount of rebate as a result of test of meter by the Public Service Commission.	Shown upon investigation that company had rebated the percentage fast for half the period that meter had been set.
792, Moskiewitz Standard Gas Light Co.	Discontinuance of gas supply.	Shown upon investigation that consumer had been billed on previous tenant's account. Matter taken up with company, account adjusted, and supply of gas restored.
793, Boylston Brooklyn Union Gas Co.	Charge for installing service.	Shown upon investigation that company had charged consumer for restoring asphalt pavement over street opening. Consumer notified that hearing would be given on complaint if he so desired. No answer having been received matter was closed.
794, Abraham Flatbush Gas Co.	Incorrect billing.....	Shown upon investigation that consumer had been billed on wrong meter. Matter taken up with company and account adjusted.

File No., name of complainant and company complained against.	Subject.	Disposition.
795, Lammers Consolidated Gas Co.	Error in billing.....	Shown upon investigation that consumer had been overcharged as result of clerical error. Matter taken up with company and account adjusted.
796, Malone Brooklyn Union Gas Co.	As to rental charge for use of arc lamps.	Shown upon investigation that lamps were furnished consumer under contract. Complaint dismissed.
797, Sands Brooklyn Borough Gas Co.	Failure to supply meter.	Shown upon investigation that meter had been set by company prior to receipt by it of communication from Commission.
798, Perpignan Flatbush Gas Co.	Discontinuance of gas supply.	Shown upon investigation that consumer was indebted to company in three months' bills and that supply had been discontinued for non-payment of same.
799, Moore Consolidated Gas Co.	Discontinuance of gas supply.	Shown upon investigation that consumer's supply had been discontinued and restored same day by company.
800, Kelly Central Union Gas Co.	Incorrect billing.....	Shown upon investigation that consumer had been billed on wrong meter. Matter taken up with company and account adjusted.
801, Bow Brooklyn Union Gas Co.	Alleged excessive bill...	Shown upon investigation that consumer had complained to company and that company had removed meter and tested it before complaint was made to Public Service Commission for relief.
802, Gensler United Electric Lt. & Power Co.	Removal of meter bearing the Public Service Commission's seal by company's employee.	Matter taken up with company which explained that meter had been removed through error and agreed to adjust account with consumer.
803, Moore New York Edison Co.	Failure to allow rebate as a result of test of meter by the P. S. C.	Matter taken up with company and credit allowance made consumer.
804, Madden New Amsterdam Gas Co.	Alleged shortage in prepayment meter.	Shown upon investigation that consumer had been improperly billed. Matter taken up with company and amount of bill canceled.
805, Sibbett Brooklyn Union Gas Co.	Alleged incorrect billing.	Shown upon investigation that consumer had been improperly billed.
806, Estate of John Jacob Astor Repair & Supply Dept. New York Edison Co.	As to rates charged for electricity.	Shown upon investigation that consumer was entitled to a consolidated rate for power. Matter taken up with company and bills refigured in accordance with the proper form of contract.
807, Hines Edison Elec. Ill. Co.	Shortage in prepayment meter.	Shown upon investigation that prepayment attachment was defective and that meter indicated a consumption larger than amount of money secured from the attachment. Consumer so notified.
808, Uneeda Lunch Co. New York Mutual Gas Lt. Co.	Discontinuance of gas supply.	Shown upon investigation that supply had been discontinued for non-payment of bill.
809, Vogt New York Edison Co.	Failure to allow rebate as a result of test of meter by the P. S. C.	Matter taken up with company and credit allowance made consumer.
810, Curran Edison Elec. Ill. Co.	Discontinuance of electric supply.	Shown upon investigation that consumer had disputed the accuracy of bills rendered him and on failure to pay the same company discontinued the supply.
811, Imperanto Brooklyn Union Gas Co.	Failure to report result of test of gas meter.	Matter taken up with company and report furnished consumer.
812, Est. of Bahrenberg Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
813, Svilovich Brooklyn Union Gas Co.	Failure to allow rebate as a result of test of meter by P. S. C.	Matter taken up with company and credit allowance made consumer.

546 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
814, Lobel-Andrews Company Consolidated Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
815, Mrs. Cushman. Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
816, F. B. Kistler... Kings Co. Ltg. Co.	Failure to supply gas.	Matter taken up with company and service installed.
818, Jacoby New York Edison Co.	Alleged discrimination in rates.	Shown upon investigation that consumer was being properly billed in accordance with schedule of rates as filed with Public Service Commission.
819, Wagner Edison Electric Ill. Co.	As to guarantee required for electric service.	Shown upon investigation that consumer was being billed in accordance with his contract, and also in accordance with schedule of rates as filed with Public Service Commission.
820, Olsen Flatbush Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified of same and corrected bill sent consumer.
821, Hall Brooklyn Union Gas Co.	As to rebate allowed as a result of test of gas meter by the P. S. C.	Matter taken up with company and rebate adjusted to consumer's satisfaction.
822, Solomons Edison Electric Ill. Co.	Refusal to supply electric current.	Shown upon investigation that the consumer's premises were distant more than 100 feet from the company's nearest main. Company submitted an agreement to instal service upon the prepayment by the consumer of a portion of the cost, the amount to be returned to him in half the sum of his monthly bills.
823, Baldwin Jamaica Gas Light Co.	Refusal to supply gas.	Shown upon investigation that consumer's premises were distant 167 feet from the company's nearest main. Company agreed to instal service at a cost of \$25.
824, Wachtel New Amsterdam Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
825, Kennedy Flatbush Gas Co.	As to bills rendered for gas.	Shown upon investigation that company had made error in rendering bills. Matter adjusted with consumer.
826, Shrimpton Manufacturing Co. New York Edison Co.	As to bills rendered for electric current.	Shown upon investigation that the consumer's meter had been tested for accuracy prior to complaint having been made to Commission. No error was discovered in bills as rendered consumer.
827, Alexis New York Edison Co.	As to bills rendered for electric current.	Shown upon investigation that consumer's meter had been tested for accuracy prior to complaint having been made to Commission. No error was discovered in bills as rendered consumer.
828, Weil Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
829, Kloeppel Flatbush Gas Co.	Refusal to supply gas or electricity.	Shown upon investigation that the consumer's premises were distant 500 feet from the nearest gas main and 2,400 feet from nearest electric main.
830, Cummings Brooklyn Union Gas Co.	Alleged failure to return deposit.	Shown upon investigation that consumer had incurred bills in excess of amount of deposit which had not been paid. Complainant dismissed.
831, Mrs. O'Connell. Kings County Ltg. Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
832, White Woodhaven Gas Lt. Co.	Inadequate supply of gas.	Shown upon investigation that inadequate supply was due to condition of tins on burners. Company replaced same and supply was made adequate.

File No., name of complainant and company complained against.	Subject.	Disposition.
833, Smith Brooklyn Union Gas Co.	Failure to allow rebate as a result of test of meter by the P. S. C.	Matter taken up with company and adjusted.
834, Wheinardt Brooklyn Union Gas Co.	Failure to supply gas.	Shown upon investigation that complainant had failed to make application to company for gas. Upon notification to Commission matter was adjusted.
835, Moore Brooklyn Union Gas Co.	Leakage of gas.....	Shown upon investigation that leak was in consumer's house pipes. Consumer so notified.
836, Mrs. Wisoff ... Brooklyn Union Gas Co.	Wrong billing.....	Shown upon investigation that consumer had been billed from wrong meter. Matter taken up with company and adjusted.
837, Gersmann & Lozner New York Edison Co.	Delay in supplying electric current.	Shown upon investigation that delay was due to failure to secure necessary permits. Matter taken up with company and supply furnished.
838, Mrs. Hall..... Consolidated Gas Co.	Damage done to property in installing pipe by company.	Matter taken up with company and necessary repairs made.
839, Worthen Brooklyn Union Gas Co.	Poor quality of gas....	Shown upon investigation that gas supplied consumer averaged above the standard required by law.
840, Tortorice Brooklyn Union Gas Co.	Failure to return deposit.	Shown upon investigation that consumer had lost deposit receipt. Matter taken up with company which agreed to refund deposit upon proper identification of consumer.
841, Hughes Standard Gas Light Co.	Discontinuance of gas supply.	Shown upon investigation that supply was discontinued for non-payment of bills. Matter taken up with company and the supply restored upon payment of bills.
842, F. B. Reilly Tea Co. Edison Electric Ill. Co.	Charge for installing electric service.	Matter taken up with company and service installed to the satisfaction of consumer.
843, Franzo Brooklyn Union Gas Co.	Incorrect billing.....	Shown upon investigation that consumer had been billed on account of another consumer. Matter taken up with company and adjusted.
844, Epstein Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
845, Goldstein Flatbush Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
846, Snyder Consolidated Gas Co.	Alleged excessive billing.	Shown upon investigation that consumer had been properly billed. Complaint dismissed.
847, Wilson Central Union Gas Co.	Error in billing.....	Shown upon investigation that error had been made in rendering consumer's bill. Matter taken up with company and corrected bill sent consumer.
848, Cronjager Edison Electric Ill. Co.	Threatened discontinuance of electric supply.	Shown upon investigation that consumer was indebted to company. Matter taken up with company and account adjusted.
849, Bartelmes Newtown Gas Co.	As to allowance made as a result of test of meter by the P. S. C.	Shown upon investigation that consumer had been rebated for full percentage fast for full period that meter had been set.
850, Blogg & Littauer New York Edison Co.	Incorrect billing.....	Shown upon investigation that company had billed consumer for power at the retail lighting rate. Matter taken up with company and account adjusted with consumer.
851, Block & Son... New York Edison Co.	Alleged excessive billing.	Investigation failed to disclose any error on the part of company in billing consumer. Complaint dismissed.
852, Reiter United El. Lt. & P. Co.	Delay in supplying electric current.	Matter taken up with company and service installed.

File No., name of complainant and company complained against.	Subject.	Disposition.
853, Scott Consolidated Gas Co.	Discontinuance of gas supply.	Shown upon investigation that supply had been discontinued for non-payment of shortage in prepayment meter. Matter taken up with company which reported that meter had been tampered with. Amount was paid by consumer and supply of gas restored.
854, Flack Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
855, Kahn Queens Borough G. & E. Co.	Failure to supply gas.	Matter taken up with company which stated that while consumer was distant over 100 feet from company's mains, it would instal necessary service pipes. In regard to this complaint consumer says: "The results are very satisfactory and I shall take pleasure in showing the communication to individuals interested."
856, Crynes Brooklyn Union Gas Co.	Excessive billing.....	Shown upon investigation that company had removed meter prior to complainant's application to Commission for relief.
857, Rimmer Richmond Light & R. R. Co.	Alleged excessive billing.	Shown upon investigation that consumer had applied to company for test of meter prior to application to Commission for relief. Investigation failed to disclose any error in bills rendered.
858, Reid Brooklyn Borough Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
859, Cooper Brooklyn Union Gas Co.	Threatened discontinuance of gas supply.	Shown upon investigation that consumer's meter had been tested by Commission and found fast. Company had failed to credit consumer with necessary rebate. Matter taken up with company and account adjusted.
860, Loewe Consolidated Gas Co.	Wrong billing.....	Shown upon investigation that consumer had been billed for gas supplied to previous tenant. Matter taken up with company and account adjusted.
861, Abrasch Brooklyn Borough Gas Co.	Failure to supply gas.	Matter taken up with company and supply secured to consumer.
863, Weiss New York Mutual Gas Lt. Co.	Failure to make rebate as a result of test of meter by the P. S. C.	Matter taken up with company and rebate allowed consumer.
864, Hanan & Son Edison Electric Ill. Co.	Alleged discriminatory rate.	Shown upon investigation that company had notified consumer that he was entitled to a better rate upon signing proper form of contract. This the consumer failed to take advantage of.
865, Diehl United Electric Lt. & Power Co.	As to estimated bill for electric current.	Matter taken up with company and account adjusted with consumer.
866, Bussenschutt .. Brooklyn Union Gas Co.	As to rebate allowed as a result of test of gas meter by the Public Service Commission.	Matter taken up with company and rebate allowed for a period of six months.
867, Mrs. Meyer ... Standard Gas Light Co.	Leakage of gas.....	Shown upon investigation that leak in question was in consumer's house pipes. Consumer so notified.
868, Chianchiano ... Brooklyn Union Gas Co.	Inadequate supply of gas.	Investigation disclosed trapped service on consumer's premises. Matter taken up with company and supply made adequate.
869, Levy Kings County Ltg. Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.

File No., name of complainant and company complained against.	Subject.	Disposition.
870, Hafner Consolidated Gas Co.	As to method of refunding deposit and interest on same.	Shown upon investigation that consumer had been refunded his deposit and interest for full amount of time by company.
871, Prall, Secretary Bronx Gas & Electric Co.	Failure to supply gas.	Shown upon investigation that consumers desiring to be supplied were distant more than 100 feet from company's nearest main.
872, Lippman Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
873, Moore New York Edison Co.	Delay in supplying electricity.	Matter taken up with company and supply secured to consumer.
874, Brodie United Electric Lt. & Power Co.	As to bills rendered for electric current.	Shown upon investigation that consumer's meter crept. Matter taken up with company and allowance made consumer.
875, Bassett Brooklyn Union Gas Co.	Discontinuance of gas supply.	Shown upon investigation that consumer was indebted to company for two months' consumption of gas and that supply had been discontinued after usual notice.
876, Schmalberg Consolidated Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
877, Marks Kings County Ltg. Co.	As to charge for installing service.	Shown upon investigation that consumer had been charged for restoring pavement. Hearing had before a member of Commission, at which it was held consumer had been improperly charged. Company directed to refund amount to consumer.
878, M. P. Gould Co. New York Edison Co.	Failure to supply electric lamps as per contract.	Matter taken up with company and adjusted. Regarding this complaint consumer says: "We thank you for the promptness with which you have responded to our request and the efficiency you have displayed in this matter."
879, Gerson New York Edison Co.	As to bills rendered for electric current.	Hearing had before a member of the Commission, at which it was shown that current was being consumed without registering on meter. Held that the consumer had been properly billed for the period in question.
880, Loudon New York Edison Co.	Discontinuance of supply of electricity.	Investigation disclosed the fact that consumer had failed to pay his weekly bill within the time required and that notice had been sent him prior to actual disconnection of service.
881, Bachman Edison Electric Ill. Co.	Refusal to supply electricity.	Shown upon investigation that consumer's premises were distant more than 300 feet from company's nearest main. The company offered to instal service upon prepayment of a portion of cost, amount to be refunded to the consumer in half the sum of his monthly bills.
882, Shiel Brooklyn Union Gas Co.	As to amount of rebate allowed as a result of test of meter by the P. S. C.	Shown upon investigation that company had allowed the consumer the percentage fast for half the period that meter had been set.
883, Mayer New York Edison Co.	As to bills rendered for electricity.	Shown upon investigation that consumer had applied to company and had his meter tested prior to making application to the Public Service Commission. No error was discovered in account as rendered.
884, Sweeney Brooklyn Union Gas Co.	Failure to make rebate as a result of test of meter by the P. S. C.	Matter taken up with company and rebate allowed consumer.
885, Irvine Consolidated Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.

550 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No.; name of complainant and company complained against.	Subject.	Disposition.
886, Miller Central Union Gas Co.	As to bill rendered for gas.	Shown upon investigation that consumer had been improperly billed. Matter taken up with company and an allowance made consumer.
887, McCormack Flatbush Gas Co.	As to bill rendered for gas.	Shown upon investigation that consumer had paid bill in dispute, but amount had not been credited on company's books. Matter taken up with company and account adjusted.
888, Oppenheimer, Adler & Co. New York Edison Co.	Refusal to rebate for lamp ownership.	Shown upon investigation that consumer's form of contract had been changed from the retail to the wholesale basis; he desired clause in relation to lamp ownership made retroactive. Further shown that practice of the company was not to allow such rebate.
889, Kaiser Consolidated Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
890, Strembel Brooklyn Union Gas Co.	Wrong billing.....	Shown upon investigation that consumer had been billed from wrong meter. Matter taken up with company and account adjusted.
891, Mulvaney Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
892, Marian Brooklyn Union Gas Co.	Wrong billing.....	Shown upon investigation that consumer had been billed from wrong meter. Matter taken up with company and account adjusted.
893, Shalit Northern Union Gas Co.	Incorrect billing.....	Shown upon investigation that meter had been set with an index and that same had been improperly taken by the company. Matter taken up with company and amount of overcharge refunded consumer.
894, Mrs. Kruse.... Flatbush Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
895, Geiber United Electric Lt. & Power Co.	Failure to supply electric current.	Matter taken up with company which agreed to arrange with consumer for the introduction of its service.
896, F. Zittel & Sons Consolidated Gas Co.	Escape of gas from tanks in consumer's vicinity.	Investigation disclosed the fact that such escape had occurred. Matter taken up with company which reported that it had already remedied condition complained of.
897, Wandless New York Edison Co.	As to bill rendered for electric current.	Shown upon investigation that consumer had been properly billed. No error discovered in account as rendered.
898, Berger Bronx Gas & Electric Co.	Inadequate supply of gas.	Shown upon investigation that consumer was being supplied through pipe on private property from premises of another consumer.
899, Kezertee Brooklyn Union Gas Co.	Failure to secure gas...	Shown upon investigation that meter on consumer's premises was defective. Matter taken up with company and supply of gas made adequate.
900, Lawton Consolidated Gas Co.	As to deposit required.	Matter taken up with company and requirement for deposit waived. Regarding this complaint consumer says: "Permit me to express my profound thanks to the Commission for the interest they have taken in my matter and the admirable promptness and efficiency with which they acted."
901, Mrs. Gregory... Brooklyn Union Gas Co.	Failure to supply gas.	Shown upon investigation that the consumer's premises were distant over 100 feet from company's mains and that it would be necessary to extend pipe through private property to reach her premises. Matter taken up with company which agreed to furnish consumer with gas upon securing proper easements to cross the property in question.

File No., name of complainant and company complained against.	Subject.	Disposition.
903, Rushinsky Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company so notified and corrected bill sent.
904, Wallach Consolidated Gas Co.	As to rental of gas range.	Shown that consumer had been billed for yearly rental of range. Matter taken up with company and adjusted so as to make rental expire with expiration of consumer's lease.
905, Robertson Brooklyn Union Gas Co.	Alleged failure to pay interest on deposit.	Matter taken up with company and adjusted.
906, Mrs. Pfeifer .. Central Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
907, Mrs. Rittenauer Flatbush Gas Co.	Failure to return deposit.	Shown upon investigation that consumer was indebted to company in excess of amount of deposit and interest.
908, A. J. Nutting & Co. Edison Electric Ill. Co.	As to lamp renewal allowance.	Shown upon investigation that company's contract with complainant was in accordance with its usual contract in such cases and that there was no discrimination against this particular consumer.
909, Kempler Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
910, Foy Brooklyn Union Gas Co.	Wrong indexing.....	Shown upon investigation that the company had underindexed previous consumer's bill. Matter taken up with company and adjusted.
911, Morgenstein .. Brooklyn Union Gas Co.	As to bill rendered for gas.	Shown upon investigation that meter failed to register for three months and that estimated bill for period had been rendered by company. Matter taken up with company and consumer notified as to basis on which bill was rendered.
912, Mrs. Burke.... Brooklyn Union Gas Co.	Wrong billing.....	Shown upon investigation that consumer had been billed from wrong meter. Matter taken up with company and corrected bill sent.
913, Mrs. Hodson.... Central Union Gas Co.	As to method of rendering bills.	Shown upon investigation that company had been unable to secure entrance to consumer's premises and had therefore failed to bill her monthly. Matter taken up with company which issued special order for future billing purposes.
914, Goodman Consolidated Gas Co.	Failure to secure rebate under 80c. Gas Law.	Matter taken up with company and rebate refunded to consumer.
915, Harrigan New Amsterdam Gas Co.	Incorrect billing.....	Shown upon investigation that consumer had been overcharged 10,000 cubic feet of gas. Matter taken up with company and corrected bill sent.
916, Pokorly New Amsterdam Gas Co.	Wrong billing.....	Shown upon investigation that consumer had been billed from wrong meter. Matter taken up with company and account adjusted.
917, Mrs. Rosenberg Standard Gas Light Co.	Threatened discontinuance of gas supply.	Shown upon investigation that consumer was indebted to company for a previous account. Matter taken up with company and amount in dispute paid by consumer.
918, Lichtenstein ... Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
919, Gittlin..... Brooklyn Union Gas Co.	Wrong billing.....	Shown upon investigation that consumer had been billed from wrong meter. Matter taken up with company and corrected bill sent.
920, Quinlan Northern Union Gas Co.	Failure to supply gas.	Matter taken up with company and supply of gas secured to consumer.

552 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
921, Mandell Flatbush Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
922, Mrs. Wilkins... Northern Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
923, Mrs. McLean... Consolidated Gas Co.	As to alleged payment of bills for gas.	Shown upon investigation that consumer had claimed to have paid company's collector amount in dispute. She was unable, however, to identify collector to whom amount was paid. Complaint dismissed.
924, Smith New York Edison Co.	Failure to supply electric current.	Shown upon investigation that delay in supplying complainant was due to his failure to supply company with necessary city and board of fire underwriters' permits. Company expressed its willingness to supply complainant immediately upon receipt of permits.
925, Willoughby Avenue Presbyterian Church Edison Electric Ill. Co.	As to installation of meter.	Shown upon investigation that company had installed a larger meter than necessary for the service. Matter taken up with company and smaller meter installed.
926, Bernd Brooklyn Union Gas Co.	As to rebate allowed as a result of test of meter by the Public Service Commission.	Shown upon investigation that the company had rebated consumer the percentage fast for half the period of time that meter had been set.
927, Gregory New York Edison Co.	As to bills rendered for electric current.	Shown upon investigation that no clerical error had been made by company in rendering bills to consumer. Complaint dismissed.
928, Mandelkern ... New York Edison Co.	As to bills rendered for electric current.	Shown upon investigation that company had tested meter upon request of complainant prior to his application to Commission for relief. Meter was found to register fast and allowance was made on this basis by company.
930, Century Holding Co. New York Edison Co.	Refusal to allow lamp rebate.	Hearing had before a member of Commission and complaint dismissed.
931, Smith Brooklyn Union Gas Co.	Failure to make rebate as a result of test of meter by the P. S. C.	Matter taken up with company and rebate allowed consumer.
932, Prest-O-Lite Co. N. Y. & Queens Electric Light & Power Co.	Refusal to allow discount on bill.	Shown upon investigation that complainant had not paid bill within time called for by company's form of contract and consequently was not entitled to the discount.
933, Zimmerman ... Central Union Gas Co.	Error in rendering bill.	Shown upon investigation that consumer had been incorrectly billed and overcharged for 10,000 cubic feet of gas. Matter taken up with company and adjusted.
934, Arons Edison Electric Ill. Co.	Failure to supply electricity.	Shown upon investigation that delay was due to consumer's failure to secure necessary permit from Board of Fire Underwriters.
936, Buchsbaum ... New Amsterdam Gas Co.	Failure to return deposit.	Shown upon investigation that deposit in question was paid by another consumer and amount had been returned to this consumer who had receipt for it. Complaint dismissed.
937, Griffinhagen Bros. & Co. New York Edison Co.	Error in billing.....	Shown upon investigation that company had billed complainant with the consumption of another meter. Matter taken up with company and account adjusted.
938, Klein Standard Gas Light Co.	Inadequate supply of gas.	Shown upon investigation that cause of complaint was due to stoppage in gas fixtures. Matter taken up with company, which cleaned same and placed new tips on burners.

File No., name of complainant and company complained against.	Subject.	Disposition.
939, W. Dulberger & Son Edison Electric Ill. Co.	As to bill rendered for electricity.	Shown upon investigation that consumer had been rendered an estimated bill for current alleged to have been consumed, and upon his refusal to pay same, his supply had been discontinued. Matter taken up with company, which restored supply and reduced amount of estimated bill.
940, Vought N. Y. & Q. Elec. Lt. & Pr. Co.	Failure to supply electricity.	Hearing had before member of Commission. Shown at hearing that consumer failed to secure necessary certificate from National Board of Fire Underwriters and was unwilling to sign a waiver in order to secure service. Held that consumer was not entitled to service unless he complied with one or the other of these requirements.
941, Schmelzer Consolidated Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
942, Weyhausen Northern Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
943, Mrs. Phillips... Brooklyn Union Gas Co.	Rebate allowed as a result of test of meter by Public Service Commission.	Shown upon investigation that company had rebated consumer the percentage fast for one-half the time meter had been upon her premises.
944, Sweeney Edison Electric Ill. Co.	Monthly guarantee required.	Shown upon investigation that consumer had signed a contract for a yearly guarantee of \$8. Matter taken up with company and account adjusted.
945, Infant Incubator Co. Brooklyn Borough Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
946, Sigond Consolidated Gas Co.	Estimated bill rendered for gas.	Shown upon investigation that consumer had not been sent an estimated bill but had been billed for gas actually consumed. Complaint dismissed.
947, Bloom Brooklyn Union Gas Co.	Wrong billing.....	Shown upon investigation that company had made an error in billing consumer. Matter taken up with company and corrected bill sent consumer.
948, Nolan Richmond Light & Railroad Co.	Condition of electric wires.	Matter taken up with company and subsequently referred to Department of Water Supply, Gas and Electricity for attention.
949, Mrs. Montgomery New York and Richmond Gas Co.	Failure to supply gas.	Investigation disclosed the fact that company claimed never to have received an application for gas from complainant. Matter taken up with company and adjusted.
950, Mrs. Quinlin .. Central Union Gas Co.	Failure to supply gas.	Shown upon investigation that the consumer's premises were distant 700 feet from the company's nearest main.
951, Paige Brooklyn Borough Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
952, Marx United Electric Lt. & P. Co.	Failure to make rebate of bills for electric current.	Hearing had before a member of the Commission at which it was stated by complainant that it was the intention to take matter into the courts in view of which statement the ruling in the case was suspended.
953, Rickerson Brooklyn Union Gas Co.	Bill rendered for installing service.	Shown upon investigation that complainant had been billed for restoration of asphalt paving by company. Matter taken up with company, which waived payment in accordance with a previous decision of the Commission.

554 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
954, Fishbein Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
955, Underhill Brooklyn Union Gas Co.	Inadequate supply of gas.	Shown upon investigation that inadequate supply was due to trapped service. Matter taken up with company and supply made adequate.
956, Penn Newtown Gas Co.	Rebate allowed as a result of test of meter by Public Service Commission.	Shown upon investigation that company had rebated consumer the percentage fast for a period of one year.
957, Bungen New York Edison Co.	Failure to allow rebate on bills.	Investigation disclosed fact that consumer had been billed on wrong form of contract. The matter was taken up with company and rebate allowed consumer.
958, Wohl Brooklyn Union Gas Co.	Bills rendered for gas...	Investigation disclosed fact that consumer was being properly billed. Complaint dismissed.
959, Barton Richmond Light and Railroad Co.	Charge for installing electric service.	Shown upon investigation that consumer's premises were more than 100 feet from company's nearest main and that company had billed consumer for installing service for excess distance.
960, Alexander Brooklyn Union Gas Co.	Leak of gas.....	Shown upon investigation that leak was on consumer's premises and consumer so notified.
961, Gruntal New York Edison Co.	Alleged excessive charge for electricity.	Shown upon investigation that consumer had applied to company for relief before applying to Commission and after his meter had been tested by company. No error was disclosed in bills as rendered.
962, Clementi Flatbush Gas Co.	Bills rendered for gas...	Shown upon investigation that consumer had been properly billed. Complaint dismissed.
963, Franz Consolidated Gas Co.	Bills rendered for gas...	Shown upon investigation that company had underindexed consumer's meter and had discovered error and sent corrected bill.
964, Spanier Edison Electric Ill. Co.	Failure to instal electric service.	Shown upon investigation that consumer's premises were distant more than 100 feet from nearest main of company. The matter was taken up with the company, which agreed to instal service upon prepayment by the consumer of portion of the cost, the amount to be repaid to him in half the sum of his monthly bills.
965, Keans Hotel ... Brooklyn Borough Gas Co.	Prepayment attachment incorrectly set.	Shown upon investigation that company had not changed prepayment attachment so as to conform to new rate. Matter taken up with company and credit allowance made consumer.
966, Church of the Evangelist Flatbush Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
967, Goodland Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
968, Mainz & Co. New York Edison Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
969, Wheeler Flatbush Gas Co.	Failure to supply electric service.	Shown upon investigation that consumer's premises were distant more than 100 feet from company's nearest main. Matter was taken up with company, which agreed to furnish service upon prepayment of a portion of the cost by consumer.
970, Mrs. Kassai ... Consolidated Gas Co.	Inadequate supply of gas.	Shown upon investigation that trouble was due to meter. Matter taken up with company, which changed meter and supply made adequate.

File No., name of complainant and company complained against.	Subject.	Disposition.
971, Metzroth Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
972, Pullits Central Union Gas Co.	Discontinuance of gas supply.	Shown upon investigation that the company claimed to have received a request to have supply discontinued. Matter taken up with company and supply restored.
973, Fisher Kings County Light- ing Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified of same and corrected bill sent consumer.
974, Mrs. Vollcom- mer Brooklyn Union Gas Co.	Rebate allowed as a re- sult of test of meter by the Public Service Commission.	Matter taken up with company, which agreed to adjust rebate to the satisfaction of the consumer.
975, Koch Edison Electric Ill. Co.	Failure to supply elec- tricity.	Shown upon investigation that delay was due to refusal of the city to grant permit for work in this section of city.
976, Flash Queensborough Gas and Electric Co.	Failure to supply elec- tricity.	Matter taken up with company, which agreed to supply current to consumer.
977, Hodes Brooklyn Union Gas Co.	Leakage of gas.....	Shown upon investigation that leak was on consumer's premises and consumer so notified.
978, Spiese New York Edison Co.	Failure to supply elec- tricity.	Matter taken up with company and supply secured to consumer.
979, Wilchik Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
980, Bene Consolidated Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
981, Uhlman Brooklyn Union Gas Co.	Bills rendered for gas...	Investigation failed to disclose any error in bills as rendered to consumer.
982, Huson New Amsterdam Gas Co.	Inadequate supply of gas.	Shown upon investigation that matter had been taken up with company by consumer and cause of trouble was due to defective meter. Meter was removed by company and supply made adequate.
984, Saland Brooklyn Union Gas Co.	Rebate allowed as re- sult of test of meter by Public Service Commission.	Shown upon investigation that consumer had been allowed a rebate of the full percentage fast for half the period of time the meter had been set.
985, Cohen Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
986, Whittner & Jaf- fer United Electric Lt. and Power Co.	Bills rendered for elec- tric current.	Shown upon investigation that consumer had been rebated on his bills for a period back to March 1, 1908. Hearing had before a member of the Commission who refused to recommend any settlement prior to this date.
988, Pearlman Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
989, Rubin Standard Gas Light Co.	Deposit required for gas.	Shown upon investigation that company had required a deposit equal to a possible two months' consumption of gas. Complaint dismissed.
990, Mercer Edison Electric Ill. Co.	Failure to supply elec- tricity.	Shown upon investigation that supply was refused because of non-payment of bills on a previous account. Matter was taken up with the company and agreement reached between consumer and company for supply of current.
991, Barklie Brooklyn Union Gas Co.	Incorrect billing.....	Investigation disclosed the fact that consumer had been improperly billed. Matter was taken up with company and corrected bill sent consumer.

556 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
992, Adler Consolidated Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified of same and corrected bill sent consumer.
993, Bashaive Brooklyn Union Gas Co.	Wrong billing.....	Shown upon investigation that consumer had been billed from wrong meter. Matter taken up with company and corrected bill sent consumer.
994, Thomson Meter Co. Edison Electric Ill. Co.	Discontinuance of supply of electricity.	Investigation disclosed fact that consumer had requested company to cancel contract, being unwilling to pay for breakdown service in connection with isolated plant. Complaint dismissed.
996, Steinhaus New York Edison Co.	Bills rendered for electric current.	Investigation disclosed fact that no error had been made by company in rendering consumer bills. Complaint dismissed.
997, Justice United Electric Lt. and Power Co.	Bills rendered for electric current.	Shown upon investigation that bills were rendered in accordance with the consumption as indicated on meter, but consumer's elevator equipment was defective, which doubtless increased consumption. Consumer so notified.
998, Hayes <i>et al.</i> Edison Electric Ill. Co.	Failure to supply electricity.	Matter taken up with company which stated that negotiations were under way to supply section in question with current; that supply would be furnished without unreasonable delay.
999, Schey Consolidated Gas Co.	Failure to rent gas stove.	Shown upon investigation that refusal to rent stove was due to error in addresses. Matter taken up with company and complaint adjusted.
1002, Carman Brooklyn Union Gas Co.	Shortage in prepayment meter.	Matter taken up with company which reported that meter had been tampered with, but that amount of over-consumption would be written off their books.
1003, Williams Flatbush Gas Co.	Wrong billing.....	Shown upon investigation that consumer had been rendered bills properly belonging to another consumer. Matter taken up with company and adjusted.
1004, Earend Brooklyn Union Gas Co.	Alleged excessive charge for gas.	Shown upon investigation that meter had been removed before consumer made complaint to Commission. Investigation failed to show any error in bills as rendered.
1005, Kares Flatbush Gas Co.	Bills rendered for electricity.	Shown upon investigation that through an error the company's indexer failed to take the index of meter for a period of six months, when bill was rendered for total consumption during that period. Matter was taken up with company and account adjusted with consumer.
1006, Liss Queens Borough Gas and Electric Co.	Wrong billing.....	Shown upon investigation that consumer had been billed for gas supplied another consumer. Matter taken up with company and amount overpaid refunded to consumer.
1007, Greenfield Brooklyn Union Gas Co.	Incorrect house piping.	Shown upon investigation that consumer's meter was connected with gas supply of another tenant on the premises. Matter taken up with company and account adjusted.
1008, Hamburger & Co. Edison Electric Ill. Co.	Bill rendered for electricity.	Investigation disclosed fact that consumer had complained to company which had adjusted meter prior to complaint to the Public Service Commission. No clerical error was discovered in bill as rendered.

File No., name of complainant and company complained against.	Subject.	Disposition.
1009, Casey New York Edison Co.	Bill rendered for electricity.	Investigation showed that consumer had complained to company which had tested meter prior to his complaint to Public Service Commission. No evidence of clerical error could be discovered in bill as rendered.
1010, Brand New York Edison Co.	Refusal to supply electricity.	Shown upon investigation that consumer's premises were distant 255 feet from company's nearest main. Matter taken up with company which agreed to supply current upon prepayment of a portion of the cost by consumer the amount to be rebated to him in half the sum of his monthly bills.
1011, Hassett & Daragh New Amsterdam Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1012, Baron New York Mutual Gas Light Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1013, Mrs. Tietjen .. Consolidated Gas Co.	Inadequate gas supply.	Investigation disclosed the fact that inadequate supply was due to stoppage in the rising service. Matter taken up with company which cleared service and supply made adequate.
1014, DeVinne Brooklyn Union Gas Co.	Failure to return deposit.	Matter taken up with company and account adjusted.
1015, Kleinberg Northern Union Gas Co.	Delay in supplying gas.	Investigation disclosed the fact that delay was due to inability of company to obtain necessary permit to open pavement. The matter was taken up with company and supply of gas secured the consumer.
1016, Greenberg New Amsterdam Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1017, Zechloff Flatbush Gas Light Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1018, Schmidt Flatbush Gas Co.	Refusal to supply electricity.	Shown upon investigation that consumer's premises were distant 570 feet from company's nearest main. Matter taken up with company which agreed to furnish current upon securing necessary permit to erect poles on private property.
1019, McCarthy Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1020, Mrs. James.... Consolidated Gas Co.	Discontinuance of gas supply.	Shown upon investigation that company had requested a deposit of \$25 from consumer. That upon failure to pay same supply was discontinued.
1021, Double Whirl Manufacturing Co. Edison Electric Ill. Co.	Bill rendered for electric current.	Shown upon investigation that consumer had been rendered a bill for unmetered current. Matter taken up with company which agreed to adjust same with consumer.
1022, German New Amsterdam Gas Co.	Condition of service pipe.	Shown upon investigation that consumer had made certain alterations in his property which had brought service pipe nearer to surface. Consumer notified that he was responsible for this condition. Complaint dismissed.
1023, Lawton New York Edison Co.	Failure to repair street after installation of electric service.	Matter taken up with company which informed the Commission that the necessary orders for restoring the street pavement had been issued by it.

File No., name of complainant and company complained against.	Subject.	Disposition.
1024, Long Island Sound Realty Co. New York & Queens Electric Light & Power Co.	Failure to supply electricity.	Matter taken up with company which claimed that delay had been due to failure of complainant to furnish necessary certificates and that immediately upon receipt of same the work of installing service would be begun.
1025, MacCauley ... Brooklyn Borough Gas Co.	Bills rendered for gas...	Shown upon investigation that the pre-payment attachment of consumer's meter had been set at a wrong rate. Matter taken up with company and amount returned to him.
1026, Morris Brooklyn Union Gas Co.	Inadequate gas supply..	Matter taken up with company and supply of gas made adequate.
1027, Thompson Kings County Lighting Co.	Bill rendered for gas...	Shown upon investigation that consumer claimed to have paid bill of previous tenant. Matter taken up with company which claimed to have no knowledge by whom the bill was paid.
1028, Falk Flatbush Gas Co.	Failure to supply gas...	Matter taken up with company which claimed that delay in supplying consumer was due to their inability to secure easements across certain streets. The company, however, installed temporary service pending adjustment of question of easements.
1029, Aldrich New York Edison Co.	Bills rendered for electric current.	Matter taken up with company which adjusted account in accordance with consumer's claim.
1030, Bakst Brothers. Queens Borough Gas & Electric Co.	Wrong billing.....	Investigation disclosed fact that consumer had been billed from wrong meter. Matter taken up with company and account adjusted.
1031, Moral New York Edison Co.	Method of stringing electric wire.	Matter taken up with company which agreed to relocate wire in accordance with complainant's request.
1032, Hoell Northern Union Gas Co.	Failure to supply gas...	Matter taken up with company which reported that when it had attempted to turn on gas it was found there were no fixtures on premises. The company agreed to take up the matter again and consumer so notified.
1033, Davis Brooklyn Union Gas Co.	Failure to supply gas...	Matter taken up with company which reported that gas had been turned on the day following receipt of application.
1034, Mangan Edison Electric Ill. Co.	Discontinuance of electric supply.	Shown upon investigation that consumer's supply had been discontinued for non-payment of bills.
1035, Brunner Flatbush Gas Co.	Wrong billing.....	Shown upon investigation that the company's bookkeeper had made an error in transcribing indexes from index book to ledger. Matter taken up with company and account adjusted.
1036, Mrs. Ziegler... Brooklyn Union Gas Co.	Inadequate supply of gas.	Shown upon investigation that the inadequate supply was due to stoppage in house drip. Matter taken up with company and supply made adequate.
1037, Caswell Edison Electric Ill. Co.	Refusal to supply electricity.	Shown upon investigation that consumer's premises were distant 1260 feet from the company's nearest main. The company offered to supply current upon pre-payment by consumer of a portion of the cost of the proposed extension, the amount to be refunded to him in half the sum of his monthly bills.
1038, Strager Consolidated Gas Co.	Inadequate supply of gas.	Matter taken up with company and supply made adequate.
1039, Star Blue Print Co. New York Edison Co.	Bill rendered for electric current.	Shown upon investigation that company had rendered bills in accordance with its schedule of rates on file with Commission.

File No., name of complainant and company complained against.	Subject.	Disposition.
1040, Lesser United Electric Lt. and Power Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1041, Kirmsky Consolidated Gas Co.	Bills rendered for gas...	Shown upon investigation that consumer had complained to company prior to his complaint to Commission; that the company had tested the meter and found the same over-registering and had rebated consumer accordingly.
1042, Seesselberg ... Edison Electric Ill. Co.	Refusal to supply electricity.	Shown upon investigation that company had refused to supply the consumer because of the non-payment of certain outstanding accounts of a company in which the consumer was supposed to be interested. Matter taken up with company which agreed to supply consumer.
1043, Voetglin Brooklyn Union Gas Co.	Wrong billing.....	Shown upon investigation that consumer had been billed from the wrong meter. Matter taken up with the company and corrected bill sent consumer.
1044, Newman Brooklyn Union Gas Co.	Bills rendered for gas...	Investigation failed to disclose any error in bills as rendered. Complaint dismissed.
1045, Boylan Flatbush Gas Co.	Charge for relaying service pipe.	Matter taken up with company which stated that the charge had been made in error and that it had cancelled same.
1046, Mrs. Bishop... Brooklyn Union Gas Co.	Inadequate supply of gas.	Shown upon investigation that the inadequate supply of gas was due to bad condition of the house pipe. Consumer so notified.
1047, Grileo New York Edison Co.	Delay in supplying electricity.	Matter taken up with company which stated that delay was due to fact that there was no service in the building but that work would be completed immediately.
1048, Mrs. Bishop- rick Brooklyn Union Gas Co.	Inadequate supply of gas.	Shown upon investigation that house pipes were inadequate in size, resulting in insufficient supply. Consumer so notified.
1049, Sternberg Consolidated Gas Co.	Overpayment for gas prepayment meter.	Shown upon investigation that overpayment was caused by coin being improperly inserted in money box of meter. Matter taken up with company and amount overpaid returned to consumer.
1050, Williamson Kings County Lighting Co.	Discontinuance of gas supply.	Shown upon investigation that consumer's supply had been discontinued for non-payment of bills which had not been paid through a misunderstanding. Matter taken up with company and complaint adjusted.
1051, Wood N. Y. & Q. Elec. Lt. & Pr. Co.	Failure to supply electricity.	Matter taken up with company which stated that failure to supply consumer was due to delay in securing necessary permits and that, as soon as they were secured, would erect the necessary lines.
1052, Bradley United Elec. Lt. & Pr. Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1053, Copeland Central Union Gas Co.	Refusal to supply prepayment meter.	Matter taken up with company and prepayment meter supplied consumer.
1055, Van Briesen ... Richmond Lt. & R.R. Co.	Voltage of electric current supplied.	Investigation showed that voltage was irregular. The company was notified of same and temporary correction made, pending improvement in service.

560 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
1056, Schell N. Y. & Q. Elec. Lt. & Fr. Co.	Voltage of electric current supplied.	Shown upon investigation that the increased use of electric current had caused an excessive drop in voltage and company had under consideration a new sub-station to relieve condition complained of. Matter taken up with company which informed Commission that sub-station had been completed relieving cause of complaint.
1057, Mrs. DeBrucker Flatbush Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1058, Agnew Flatbush Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1059, Haas N. Y. & Q. Gas Co.	Refusal to supply gas...	Shown upon investigation that consumer's premises were distant 220 feet from company's nearest main. The company agreed to supply consumer upon the pre-payment of a portion of cost of extension, amount to be refunded to him in 75 per cent of his monthly bills.
1060, Gennerich Standard Gas Light Co.	As to bills rendered for gas.	Shown upon investigation that complainant had made an error as to period covered by bill complained of. Complaint dismissed.
1061, Dimock Brooklyn Union Gas Co.	Inadequate supply of gas.	Shown upon investigation that the company had begun a general investigation as to supply of gas in vicinity of the complainant's premises and had taken the necessary steps to remedy trouble.
1062, Zwicker New York Mutual Gas Light Co.	Wrong billing.....	Shown upon investigation that consumer had been billed from wrong meter. Matter taken up with company and account adjusted.
1063, Woodward Brooklyn Union Gas Co.	Discontinuance of gas supply for non-payment of bill on pre-payment meter.	Investigation disclosed fact that consumer had been billed for an alleged shortage in pre-payment meter which had been incurred by a previous tenant. Matter taken up with company and amount refunded to consumer.
1064, Levy Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1065, Woodhouse ... United Elec. Light & Power Co.	Failure to supply electricity.	Matter taken up with company and supply secured consumer.
1066, Richman Brooklyn Union Gas Co.	As to rebate allowed as result of test of gas meter by Public Service Commission.	Shown upon investigation that company had rebated consumer the percentage fast for a period of six months prior to the test of meter.
1067, Keshishin Brooklyn Borough Gas Co.	Discontinuance of gas supply.	Shown upon investigation that company had discontinued gas supply for non-payment of an additional deposit of \$5.00. Matter taken up with company and supply of gas restored.
1068, Brinkmann ... Brooklyn Union Gas Co.	Delay in supplying gas.	Matter taken up with company and supply of gas secured consumer.
109, Burr Edison Elec. Ill. Co.	As to contract for electric current.	Shown upon investigation that consumer had signed contract calling for monthly minimum guarantee which he believed was waived during summer months. Matter taken up with company and adjusted with consumer.
1070, Jacobs Edison Elec. Ill. Co.	Refusal to supply electricity.	Shown upon investigation that consumer's premises were distant 110 feet from company's nearest main. Matter taken up with company which agreed to supply consumer upon the prepayment by him of a portion of the cost of proposed extension the amount to be rebated to him in half the sum of his monthly bills.

File No., name of complainant and company complained against.	Subject.	Disposition.
1071, Electric Saving & Renting Co. Edison Elec. Ill. Co.	As to deposit required.	Shown upon investigation that company had requested deposit of \$15.00 for sign lighting. Matter taken up with company which agreed to supply complainant upon the payment by him of deposit of \$5.00.
1072, McBernie Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1073, Levy Queens Borough Gas & Elec. Co.	Failure to return deposit.	Matter taken up with company and deposit returned to consumer.
1074, Mrs. Zahn Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1075, Mrs. Tresch ... Flatbush Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1076, Mrs. Dannreuther. Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1076, Walker Standard Gas Light Co.	Inadequate supply of gas.	Matter taken up with company which made necessary alterations in house piping so as to provide adequate supply.
1078, Westfall Brooklyn Borough Gas Light Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1079, Bell Flatbush Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1080, Mrs. Schneckher. Central Union Gas Co.	As to bill rendered for gas.	Shown upon investigation that complainant's meter had been removed before complaint was made to the Public Service Commission; no clerical error discovered in bill as rendered.
1081, Moskowitz Edison Elec. Ill. Co.	Failure to supply electricity.	Matter taken up with company and supply of electricity secured consumer.
1082, Singer New York Edison Co.	Delay in supplying electricity.	Matter taken up with company and supply of electricity secured consumer.
1083, Mathews United Elec. Light & Power Co.	Delay in supplying electricity.	Matter taken up with company and supply of electricity secured consumer.
1084, Fieramosca ... New York & Richmond Gas Co.	As to alleged leak.	Investigation failed to disclose any leak in meter complained about. Dismissed.
1085, McGuire Brooklyn Union Gas Co.	Failure to supply gas...	Matter taken up with company and supply of gas made adequate.
1086, Semming Brooklyn Union Gas Co.	Delay in supplying gas.	Investigation disclosed fact that tenant had made application for gas which had been turned on the following day.
1087, Smith New York & Richmond Gas Co.	Refusal to supply gas...	Shown upon investigation that consumer's premises were distant more than 100 feet from company's nearest main. Matter taken up with company which agreed to furnish supply upon payment of consumer of a portion of expense of proposed extension.
1088, Krakauer Consolidated Gas Co.	Discontinuance of gas supply.	Shown upon investigation that consumer's supply had been discontinued for non-payment of a bill incurred at previous address; also for non-payment of a bill at his present address. Upon payment by him of bill at present address supply of gas was restored.
1089, Essig Northern Union Gas Co.	Inadequate supply of gas.	Matter taken up with company and supply of gas made adequate.
1090, Brandmeier Woodhaven Gas Light Co.	As to deposit required for gas.	Matter taken up with company which agreed to waive its request for deposit in this case.

File No., name of complainant and company complained against.	Subject.	Disposition.
1091, Anslander Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1092, Berkowitz Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1093, Upperco Consolidated Gas Co.	As to prepayment meter.	Shown upon investigation that carrier attachment on meter was out of order; matter taken up with company and condition complained of remedied.
1094, Marcus New York Gas Light Co.	Wrong indexing.	Shown upon investigation that consumer had been billed from wrong meter. Matter taken up with company and account adjusted.
1095, Runge Edison Elec. Ill. Co.	Delay in installing electric service.	Matter taken up with company and supply of electricity secured for consumer.
1096, Hughes Flatbush Gas Co.	As to method of rendering bills.	Shown upon investigation that bill had been put in hands of lawyer for collection before being presented to consumer. Matter was taken up with company and adjusted with consumer.
1097, Spillane New York Edison Co.	Delay in supplying electricity.	Matter taken up with company and supply of electricity secured consumer.
1098, Power Consolidated Gas Co.	Delay in supplying gas.	Shown upon investigation that company had made a number of attempts to secure admittance to the premises but had failed to do so. Supply of gas secured for consumer before receipt of complaint by Commission.
1099, Stepino New York & New Amsterdam Gas Co.	Defective prepayment meter.	Matter taken up with company and new meter installed.
1100, Maloney Brooklyn Borough Gas Co.	Meter set at wrong reading.	Shown upon investigation that the pre-payment attachment on meter had not been set so as to conform with rate for the year. Matter taken up with company and account adjusted with consumer.
1101, Atkins Standard Gas Light Co.	Inadequate supply of gas.	Investigation disclosed stoppage in house pipes. Matter taken up with company which cleaned same and made supply adequate.
1102, Rogers Flatbush Gas Co.	As to method of rendering bills.	Shown upon investigation that consumer had not been billed for a period of three months. Matter taken up with company and monthly statement furnished consumer.
1103, Williams Brooklyn Borough Gas Co.	Failure to supply gas...	Shown upon investigation that consumer's premises were 300 feet distant from the company's nearest main. Company expressed willingness to supply consumer upon the prepayment by him of a portion of cost of extension.
1104, Wood Brooklyn Union Gas Co.	Inadequate supply of gas.	Matter taken up with company and supply of gas made adequate.
1105, Munro New York Edison Co.	Delay in supplying electricity.	Shown upon investigation that supply had been furnished consumer before receipt of his complaint by the Commission.
1106, Gavin Consolidated Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1107, Mrs. Kavanagh. New York Edison Co.	Failure to return deposit.	Shown upon investigation that deposit had been returned sometime prior to receipt of complaint by the Commission.
1108, Orangio Kings County Lighting Co.	Refusal to supply gas.	Matter taken up with company which claimed that consumer was indebted for gas consumed at a previous address. Consumer so notified.

File No., name of complainant and company complained against.	Subject.	Disposition.
1109, Brush Jamaica Gas Light Co.	Failure to supply gas...	Shown upon investigation that consumer's premises were distant over 300 feet from company's nearest main. Matter taken up with company which agreed to supply consumer.
1110, Healey Consolidated Gas Co.	Failure to supply prepayment meter.	Matter taken up with company which reported that consumer had paid deposit for regular meter and had decided to retain same.
1111, Austin Consolidated Gas Co.	Inadequate supply of gas.	Shown upon investigation that inadequate supply of gas was due to stoppage in the rising service. Matter taken up with company and supply made adequate.
1112, M. Cohen & Sons. New York Edison Co.	As to bill rendered for electricity.	Shown upon investigation that an error had been made in reading meter. Matter taken up with company and an allowance to cover error made consumer.
1113, Mrs. O'Melie... Brooklyn Union Gas Co.	As to allowance for leaking meter.	Matter taken up with company and adjustment made with consumer.
1114, Remmonds New York & Queens Gas Co.	Inadequate supply of gas.	Investigation disclosed fact that house riser was too small to permit of an adequate supply. Consumer so notified.
1115, Fleek Consolidated Gas Co.	Inadequate supply of gas.	Matter taken up with company and supply of gas made adequate.
1116, Fine Brooklyn Borough Gas Co.	As to rebate allowed as result of test of meter by the P. S. C.	Shown upon investigation that company had rebated consumer percentage fast for half the period of time that meter had been on premises.
1117, Vogel Brooklyn Union Gas Co.	As to bills rendered for gas.	Investigation disclosed fact that consumer's meter had been removed by company prior to his complaint to Commission. No clerical error could be discovered in bills as rendered.
1118, Shea Richmond Light & Railroad Co.	As to deposit required for extending mains.	Shown upon investigation that consumer had paid 75 per cent of cost of extending main to his premises which were distant more than 100 feet. He desired Commission to order company to return deposit in view of fact that other consumers were securing current from this main. Hearing had before member of Commission at which it was held that company, in refusing to return deposit, was acting in accordance with its rules and regulations.
1119, Levy Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1120, Turner Edison Elec. Ill. Co.	Refusal to supply electricity.	Shown upon investigation that complainant's premises were distant 200 feet from nearest main of company. Hearing had before member of Commission at which an agreement was reached for canvass of the neighborhood for the purpose of securing additional consumers.
1121, Buttrick Brooklyn Union Gas Co.	Inadequate supply of gas.	Shown upon investigation that inadequate supply was due to condensation in meter. Company notified; they removed same and made supply adequate.
1122, Morris Consolidated Gas Co.	Alleged leakage of gas.	Matter taken up with company which reported that leak had been discovered and corrected before receipt of consumer's complaint by Commission.
1123, Randolph Consolidated Gas Co.	Discontinuance of gas supply.	Shown upon investigation that consumer was indebted to company and that notice had been duly sent to consumer, requesting payment. Complaint dismissed.

564 PUBLIC SERVICE COMMISSION — FIRST DISTRICT.

File No., name of complainant and company complained against.	Subject.	Disposition.
1124, Brown Woodhaven Gas Lt. Co.	As to shortage in pre-payment meter.	Investigation disclosed fact that meter had been removed prior to consumer's complaint to Commission. Company reported shortage in amount collected, but agreed to adjust matter with consumer.
1126, Schopp Consolidated Gas Co.	Inadequate supply of gas.	Matter taken up with company which installed new street service and larger size meters.
1127, D'Esposito Brooklyn Boro Gas Co.	Wrong billing.....	Shown upon investigation that an error had been made by company in taking index of meter. Matter taken up with company and corrected bill sent.
1128, Kerb's Estate.. New York Edison Co.	As to bills rendered for electricity.	Shown upon investigation that question had arisen as to ownership of two buildings on which conjunctional rate was claimed. Matter taken up with company which agreed to render consolidated bills if joint ownership could be shown.
1129, Sigiovanna Edison Elec. Ill. Co.	As to bill rendered for electricity.	Shown upon investigation that meter had been improperly connected and that consumer had been improperly billed. Matter taken up with company and account adjusted with consumer.
1130, Mayer Brooklyn Union Gas Co.	Wrong billing.....	Shown upon investigation that consumer was billed from wrong meter. Matter taken up with company and corrected bill sent consumer.
1131, Mrs. Dowling.. Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1132, Berelson Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that the meter had been overindexed. Company notified and corrected bill sent.
1133, Warshofsky Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that the meter had been overindexed. Company notified and corrected bill sent.
1134, Stinson & Rosenberg. Consolidated Gas Co.	Inadequate supply of gas.	Matter taken up with company by telephone and supply of gas made adequate.
1135, Ross Woodhaven Gas Lt. Co.	As to rebate allowed as result of test of meter by Public Service Commission.	Shown upon investigation that company had rebated consumer the percentage fast for the full period of time that he had used gas from the meter.
1136, Jacobs New York & Queens Elec. Lt. & Power Co.	Refusal to supply electricity.	Shown upon investigation that in order to supply consumer's premises, it would be necessary for company to extend its main through private property. Held after hearing before Commission that company could not be compelled to string its wires over private property.
1137, Newman Brooklyn Union Gas Co.	Failure to rebate as result of test of meter by the P. S. C.	Matter taken up with company which reported that the failure to rebate was due to an error on the part of their adjuster and that a full settlement had been made with consumer.
1138, Rodell Brooklyn Union Gas Co.	As to rebate allowed as result of test of gas meter by the Public Service Commission.	Shown upon investigation that company had rebated the percentage fast for half the time that meter had been on consumer's premises.
1139, Boyle Brooklyn Union Gas Co.	Wrong billing.....	Shown upon investigation that consumer had paid a bill in name of another party. Matter taken up with company and adjusted.
1140, Throop Brooklyn Borough Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1141, Siegel Central Union Gas Co.	Overindex.	Shown upon investigation that the meter had been overindexed. Company notified and corrected bill sent.

File No., name of complainant and company complained against.	Subject.	Disposition.
1142, Veit Son & Co. New York Edison Co.	As to rebate allowed as result of test of meter.	Shown upon investigation that company had rebated consumer for half the period of time back to the last previous test of meter.
1143, Purbs Brooklyn Union Gas Co.	As to bills rendered for shortage in prepayment meter.	Matter taken up with company and adjusted.
1144, Friedman Consolidated Gas Co.	Inadequate supply of gas.	Matter taken up with company which cleared house pipes and made supply of gas adequate.
1145, Schwegel Flatbush Gas Co.	Leaking meter.....	Matter taken up with company and meter tested by Public Service Commission.
1146, McIntee Bronx Gas & Elec. Co.	As to bills rendered for gas.	Shown upon investigation that company had made an error in rendering bills to consumer. Matter taken up with company and adjusted with consumer.
1147, Lippman Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that the meter had been overindexed. Company notified and corrected bill sent.
1148, Becker Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that the meter had been overindexed. Company notified and corrected bill sent.
1149, Kennelly & Co. United Electric Lt. & Pr. Co.	Method of rendering bills.	Matter taken up with company which took matter up personally with complainant and adjusted it to his satisfaction.
1150, Cohn Consolidated Gas Co.	As to deposit required.	Matter taken up with company which reported that notice had been sent to complainant in error and had been cancelled.
1151, McCabe Flatbush Gas Co.	As to amount of rebate allowed as result of test of meter by P. S. C.	Shown upon investigation that company had rebated the percentage fast for a period of one year.
1152, Martin Jamaica Gas Light Co.	As to deposit for gas...	Matter taken up with company and adjusted.
1153, Grant Flatbush Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1154, Sulzberger Sons & Co. N. Y. Edison Co.	As to rate charged for electricity.	Investigation disclosed the fact that consumer was being billed for electricity in accordance with rates as filed by company with the Commission.
1155, Horshorn Standard Gas Light Co.	Refusal to supply gas...	Shown upon investigation that company had requested a deposit before installing meter, which consumer had failed to pay. Complaint dismissed.
1156, Bishop N. Y. Edison Co.	As to bill rendered for electricity.	Shown upon investigation that consumer had applied to company for relief and that company had tested meter before complaint was made to Public Service Commission. No error was discovered in bill as rendered.
1157, Poppe Brooklyn Union Gas Co.	Failure to set prepayment meter.	Matter taken up with company and prepayment meter set on consumer's premises.
1159, Pratt Flatbush Gas Co.	Inadequate supply of gas.	Matter taken up with company which reported that inadequate supply was due to condensation in meter which was removed and supply made adequate.
1160, Tevelove Brooklyn Union Gas Co.	Refusal to supply gas.	Shown upon investigation that consumer was indebted to company for gas consumed at a previous address.
1161, Cohn Edison Elec. Ill. Co.	Failure to supply electricity.	Matter taken up with company which agreed to supply consumer.

File No., name of complainant and company complained against.	Subject.	Disposition.
1162, Kucks Edison Elec. Ill. Co.	As to contract required for electricity.	Shown upon investigation that consumer was being billed on wrong form of contract. Matter taken up with company which agreed to change form of contract and to refigure the consumer's bills on proper basis.
1163, Ashendorf Brooklyn Union Gas Co.	Inadequate supply of gas.	Investigation disclosed the fact that the inadequate supply was due to trap in sub-service. Matter taken up with company which cleared pipes and made supply adequate.
1164, Walk Flatbush Gas Co.	Inadequate supply of gas.	Shown upon investigation that trouble was due to stoppage of house pipes. Matter taken up with company which cleared pipes and made supply satisfactory.
1165, Goldberg Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1166, Goldstein New York Edison Co.	Refusal to refigure bills for electricity.	Shown upon investigation that consumer had been notified in writing that it would be advisable for him to sign a contract for a wholesale rate which he failed to do and that company, therefore, had refused to refigure his bills.
1167, Hoffer Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1169, Enbank Brooklyn Union Gas Co.	Refusal to set prepayment meter.	Matter taken up with company and meter installed on consumer's premises.
1170, Robinson Standard Gas Light Co.	Inadequate supply of gas.	Shown upon investigation that inadequate supply was due to stoppage in house pipes. Company notified; they cleared same and made supply adequate.
1171, Jacoby Northern Union Gas Co.	As to money due from prepayment meter.	Matter taken up with company and amount over collected returned to consumer.
1173, Shaughnessy .. Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that the meter had been overindexed. Company notified and corrected bill sent.
1174, Rubin Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that the meter had been overindexed. Company notified and corrected bill sent.
1175, Carmina Kings County Lighting Co.	Discontinuance of gas supply for non-payment of disputed bill.	Hearing held before member of Commission in which company was directed to correct bill and restore supply of gas.
1176, National Bridge Works. N. Y. & Queens Elec. Lt. & Pr. Co.	As to discount on bills.	Shown upon investigation that consumer had not paid bill within time in which discount was allowed. Hearing had before member of Commission, at which it was held that company had acted in accordance with its rules in refusing to allow the discount.
1177, Samuel Cockburn & Sons. Westchester Light Co.	As to charge made for installing gas service.	Shown upon investigation that company had charged consumer for cost of inspection of street opening. Consumer notified that under provision of the Transportation Corporations Law, company had no legal right to make such charge.
1178, Kehm Newtown Gas Co.	As to bills rendered for gas.	Shown upon investigation that complaint was due to alleged leak in meter. Leak in question did not affect registration of meter and no error was discovered in bills as rendered.
1179, Johanns Edison Elec. Ill. Co.	Failure to supply electricity.	Matter taken up with company and supply of electricity secured consumer.

File No., name of complainant and company complained against.	Subject.	Disposition.
1180, Nykerk United Elec. Lt. & Pr. Co.	As to bills rendered for electricity.	Shown upon investigation that consumer's meter had been tested by company prior to his complaint to Commission. No clerical error was discovered in bills as rendered.
1181, McDonald Brooklyn Union Gas Co.	As to shortage in prepayment meter.	Matter taken up with company, which agreed to cancel amount in dispute.
1182, Scheeler New Amsterdam Gas Co.	Inadequate supply of gas.	Shown upon investigation that inadequate supply of gas was due to bad condition of house piping. Consumer so notified.
1183, Smith Brooklyn Union Gas Co.	As to shortage in prepayment meter.	Matter taken up with company, which reported that consumer had adjusted same prior to receipt of complaint by Commission.
1184, O'Reilly United Elec. Lt. & Pr. Co.	As to bill rendered for electricity.	Matter taken up with company and account adjusted with consumer..
1185, Wells Brooklyn Union Gas Co.	Inadequate supply of gas.	Shown upon investigation that inadequate supply of gas was due to condensation in house pipes which were cleared by company.
1186, Smith Brooklyn Union Gas Co.	Inadequate supply of gas.	Matter taken up with company and supply made adequate.
1187, Rich Brooklyn Union Gas Co.	Inadequate supply of gas.	Investigation disclosed fact that inadequate supply was due to poor condition of house piping. Consumer so notified.
1188, Krug Consolidated Gas Co.	Inadequate supply of gas.	Shown upon investigation that the inadequate supply was due to bad condition of street service. Matter taken up with company, which remedied cause of complaint.
1189, Schieck Central Union Gas Co.	Inadequate supply of gas.	Shown upon investigation that inadequate supply of gas was due to bad condition of rising service. Consumer so notified.
1190, Mrs. Lindsay Consolidated Gas Co.	As to alleged leakage in gas.	Matter taken up with company which adjusted complaint with consumer.
1191, Johnson Flatbush Gas Co.	Wrong billing.....	Shown upon investigation that consumer had been billed from wrong meter. Matter taken up with company and corrected bill sent consumer.
1192, Wolfsohn New York Edison Co.	As to bills rendered for electricity.	Shown upon investigation that consumer's meter had been tested by company prior to complaint to Commission. No clerical error was discovered in bill as rendered.
1193, Hopkins Brooklyn Union Gas Co.	Inadequate supply of gas.	Shown upon investigation that inadequate supply was due to defective connection at inlet of meter. Matter taken up with company and supply of gas made adequate.
1194, Hartich Flatbush Gas Co.	Inadequate supply of gas.	Matter taken up with company, which reported that complaint had been attended to prior to receipt of complaint by Commission and that supply had been made adequate.
1195, McMullen Queens Boro. Gas & Elec. Co.	Failure to return deposit.	Matter taken up with company and deposit returned consumer.
1196, Seaholm N. Y. Mutual Gas Lt. Co.	Inadequate supply of gas.	Matter taken up with company, which removed condensation from pipes and left supply in good condition.
1197, Mrs. Pozio.... Brooklyn Union Gas Co.	Inadequate supply of gas.	Investigation disclosed fact that inadequate supply was due to condensation in meter riser. Company notified, which cleared same and made supply adequate.
1198, Diamond Brooklyn Union Gas Co.	Wrong billing.....	Shown upon investigation that consumer had been billed from wrong meter. Matter taken up with company and account adjusted.
1199, Cleveland Consolidated Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.

File No., name of complainant and company complained against.	Subject.	Disposition.
1200, Levin Brooklyn Union Gas Co.	Inadequate supply of gas.	Investigation disclosed that inadequate supply was due to condensation in riser. Company notified and supply made adequate.
1201, Widemann Flatbush Gas Co.	Inadequate supply of gas.	Matter taken up with company, which reported that inadequate supply was due to exposed condition of house risers. Consumer so notified.
1202, Koster Jamaica Gas Light Co.	As to rebate allowed as result of test of gas meter by the P. S. C.	Shown upon investigation that consumer had been rebated the percentage fast for the full period of time that he had used meter.
1203, Mead Central Union Gas Co.	Inadequate supply of gas.	Matter taken up with company, which reported that supply had been made adequate and that consumer had signed a statement to that effect.
1204, Smith Brooklyn Union Gas Co.	Inadequate supply of gas.	Matter taken up with company, which reported that supply had been made adequate.
1205, Merible Brooklyn Union Gas Co.	Inadequate supply of gas.	Investigation disclosed the fact that the inadequate supply was due to the meter being defective. Matter taken up with company. Meter changed and supply made adequate.
1206, Stolzenberger .. Brooklyn Union Gas Co.	Inadequate supply of gas.	Shown upon investigation that trouble was due to condensation in meter. Company notified and supply made adequate.
1207, Standard Ice Works. Northern Union Gas Co.	Inadequate supply of gas.	Shown upon investigation that inadequate supply was due to inadequate size of the consumer's house pipes. Consumer so notified.
1208, Mrs. Schulman Brooklyn Union Gas Co.	Wrong billing.....	Shown upon investigation that consumer had been billed from wrong meter. Matter taken up with company and account adjusted.
1209, Carlton Brooklyn Boro. Gas Co.	Leaking meter.....	Matter taken up with company and account adjusted.
1210, Peskowitz Brooklyn Union Gas Co.	Wrong billing.....	Shown upon investigation that consumer had been billed from wrong meter. Matter taken up with company and account adjusted.
1211, Kraska Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified of same and corrected bill sent consumer.
1212, Rohrbach Kings County Lighting Co.	Inadequate supply of gas.	Matter taken up with company, which reported that trouble was due to condition of house pipes and that same had been adjusted to consumer's satisfaction.
1213, Bier New York Mutual Gas Light Co.	Inadequate supply of gas.	Shown upon investigation that inadequate supply of gas was due to condensation in house pipes. Matter taken up with company and supply made adequate.
1214, Mrs. Johnson .. Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1215, Rothenberger .. Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1216, Mrs. Connolly... New Amsterdam Gas Co.	As to deposit required for gas.	Matter taken up with company, which reported that the usual deposit for such service had been requested and that consumer had failed to pay same.
1217, Brady Consolidated Gas Co.	Inadequate supply of gas.	
1218, Fox Bros. & Co. New York Edison Co.	As to rebate on bills for electric current.	
1219, Adams Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.

File No., name of complainant and company complained against.	Subject.	Disposition.
1220, Levine Brooklyn Union Gas Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1221, Goldenburg New York Mutual Gas Light Co.	Overindex.	Shown upon investigation that meter had been overindexed. Company notified and corrected bill sent.
1222, Blaser Edison Elec. Ill. Co.	As to bill rendered for electricity.	Matter taken up with company and account adjusted between company and consumer.
1223, Folger N. Y. & Queens Gas Co.	As to bills rendered on prepayment meter.	
1224, Cushman & Company. Consolidated Gas Co.	Inadequate supply of gas.	

APPENDIX D.

ELECTRICITY RATES, NEW YORK CITY, 1910.

APPENDIX D.

ELECTRICITY RATES, NEW YORK CITY, 1910.

The price of electricity for light, heat and power in the City of New York, over which territory the Public Service Commission for the First District has jurisdiction, is regulated by special law only in so far as the maximum price is concerned.

Chapter 732 of the Laws of 1905, as amended by chapter 616, Laws of 1906, fixed the maximum price of electricity to consumers, other than the City of New York, at 10¢ per kilowatt hour in the Boroughs of Manhattan and The Bronx (with the exception of the former Town of Westchester), and at 12¢ in the Boroughs of Brooklyn and Richmond, in that portion of the Borough of Queens outside of the Fifth Ward (Far Rockaway, Arverne and Rockaway Beach), and in that portion of the Borough of The Bronx formerly the Town of Westchester. No price is fixed by law for electricity sold in the Fifth Ward of the Borough of Queens to consumers other than the city.

On December 18, 1908, the Public Service Commission issued an order which became effective January 15, 1909, requiring all electrical corporations subject to the jurisdiction of the Commission to file with the Commission at least thirty days before any schedules go into effect, and to keep open to public inspection, printed schedules of all rates and forms of contracts relating to the service of such corporations.

The Commission issued another order on the same date which requires that no electrical corporation shall, directly or indirectly, by any special rate, rebate, drawback or other device or method, charge or receive from any person or corporation a greater or less compensation for electricity or any service rendered than it charges or receives from any other person or corporation for doing a like and contemporaneous service under the same or substantially similar circumstances or conditions. The same order requires that no electrical corporation shall make or give any undue or unreasonable preference or advantage to any person or corporation, or to any locality, or to any particular description of service in any respect, or subject any particular person or corporation or locality, or any particular description of service, to any prejudice or disadvantage. The order further provides that no electrical corporation shall charge or receive a greater, or less, or different compensation for supplying electricity, or for any service rendered, than the rates and charges applicable to such service as specified in the schedules filed by it with the Public Service Commission and posted and in effect at the time; nor shall any electrical corporation refund or remit in any manner or by any device any portion of the rates or charges so specified; nor extend to any person or corporation any privileges or facilities in connection with such service, except such as are regularly and uniformly extended to all

persons or corporations under the same or substantially similar circumstances or conditions. The provisions contained in these orders were incorporated in the Public Service Commissions Law by amendments passed by the Legislature of 1910. (Laws of 1910, ch. 480.)

These schedules of rates as filed with the Commission, and effective on December 31, 1910, are shown below, the companies operating in the different boroughs being as follows:

BOROUGH OF MANHATTAN.

The New York Edison Company.

The United Electric Light & Power Company.

The Long Acre Electric Light & Power Company.

BOROUGH OF THE BRONX.

The New York Edison Company.

The Bronx Gas & Electric Company.

The Westchester Lighting Company.

BOROUGH OF BROOKLYN.

The Edison Electric Illuminating Company.

The Flatbush Gas Company.

BOROUGH OF QUEENS.

The New York & Queens Electric Light & Power Company.

The Queens Borough Gas & Electric Company.

BOROUGH OF RICHMOND.

The Richmond Light & Railroad Company.

BOROUGH OF MANHATTAN.

The New York Edison Company's and the United Electric Light & Power Company's schedules of rates, as filed with the Public Service Commission for the First District, are as follows:

Retail Service — Light.— 10¢ per k.w.h.

Retail Power.—For the first 200 k.w.h. of monthly consumption, 10¢ per k.w.h.; from 200 to 400, 8¢; from 400 to 3,500, 6¢; from 3,500 to 7,000, 5¢; all over 7,000, 4¢. This rate also applies to the use of arc lamps for photographic purposes exclusively.

Intermediate Wholesale Rate.—This rate is based upon a guaranteed consumption of 2,000 k.w.h. monthly for ten months in the year, and that during such months the average use of the total equipment shall not be less than two hours daily. In consideration of these guarantees, the rates charged are: For the first hour of average daily use of the entire installation, 10¢ per k.w.h.; for the second hour, 9¢; for the third hour, 8¢; for the fourth hour, 6¢; for the fifth to fourteenth hour, inclusive, 5¢; above fourteen hours, 4½¢. If the monthly use should exceed 5,000 k.w.h., a reduction of 5% will be made in the amount of the monthly bill; if it should exceed 10,000 k.w.h., a reduction of 10% will be made. If the consumer supplies his own incandescent lamps, a reduction of ½¢ per k.w.h. will be made.

Special Wholesale Rate.—This rate is based on a guaranteed consumption of not less than 100,000 k.w.h. yearly, and is for current only. In consideration of this guarantee the rates charged are: For the first 15,000 k.w.h. monthly consumption, 5¢; from 15,000 to 25,000, 4½¢; from 25,000 to 35,000, 4¢; from 35,000 to 50,000, 3½¢; all over 50,000, 3¢. Should the bills at the rates specified exceed \$17,500 in any year during the period of the contract, there shall be deducted from such bills an amount equal to the difference between the face thereof and the cost of the current reckoned at the rate of 3½¢ per k.w.h., provided that the total amount of the bills for the year shall not be reduced to a sum less than \$17,500. Should such bills, at the rate of 3½¢ per k.w.h., exceed \$20,000 in any year, there shall be deducted from such bills an amount equal to the difference between the face thereof and the cost of the current reckoned at the rate of 3.2¢ per k.w.h., provided that the total amount of the bills for the year shall not be reduced to a sum less than \$20,000. Should such bills at the rate of 3.2¢ per k.w.h. exceed \$25,000 in any year, the price of all the current furnished during said year shall be reduced to 3¢ per k.w.h., provided that the total amount of the bills for the year shall not be less than \$25,000.

Breakdown Service Rate.—This rate is based upon an annual guarantee of \$30 for each kilowatt of maximum demand stated in the service contract. Within this guarantee, current may be consumed at the best rate of the class to the extent of the guarantee, without additional charge. Where the demand contracted for is less than ten kilowatts, the consumer pays the cost of installing the automatic switch, not exceeding \$75.

High Tension Service Rate.—This rate is based upon an agreement on the part of the consumer that the maximum demand contracted for shall not be less than 200 kilowatts, costing \$6,000 yearly. The rate is \$30 annually for each kilowatt of maximum demand, a charge of 1½¢ per k.w.h. being made for current consumed. This rate is for current only, and is applicable to large structures, important power undertakings, elevated, surface, subway and tunnel railroads and all other large installations permitting the use of 25 cycle alternating current of 6,600 volts in the case of the New York Edison Company, and 7,500-volt, 60-cycle service in the case of the United Electric Light & Power Company.

Automobile and Storage Battery Rate.—This rate is based upon a monthly minimum guarantee of \$50 and an agreement to use current within certain hours. In consideration of these guarantees the rate is fixed at 6¢ per k.w.h. with discounts as follows: For a monthly consumption of 3,000 k.w.h., ½¢ per k.w.h.; monthly consumption of 5,000 k.w.h., 1¢; monthly consumption of 8,000 k.w.h., 1½¢; monthly consumption of 10,000 k.w.h., 2¢; monthly consumption of 25,000 k.w.h., 2½¢; monthly consumption of 50,000 k.w.h., 3¢. In addition the New York Edison Company makes the following rate:

Tunnel Construction Rate.—This rate is based upon an agreement on the part of the consumer to use the company's service exclusively, and is for tunnel, surface and subsurface construction in connection with rapid transit or transportation lines on Manhattan Island or in The Bronx, or under the East, North or Harlem river. For a monthly use of less than 25,000 k.w.h., the rate is 4¢ per k.w.h.; from 25,000 to 50,000 k.w.h. per month, 3½¢ per k.w.h.; 50,000 and over k.w.h. per month, 3¢ per k.w.h.

Under the Retail Lighting agreement the New York Edison Company

furnishes the first installation and the renewal of standard carbon lamps free of charge, except in the case of theaters, music halls, new buildings in the course of erection and "breakdown" service. Consumers are also entitled to free lamps under the Intermediate Wholesale agreement, and, where not supplied, a reduction is made in the case of the Intermediate Wholesale rate and for the exceptions noted under the Retail Lighting rate.

Under the Retail Lighting and Intermediate Wholesale agreements, the United Electric Light & Power Company furnishes the first installation and subsequent renewal of standard carbon or metalized filament lamps. The Special Wholesale rate does not include the supply of incandescent or arc lamps or their renewal or trimming.

The Long Acre Electric Light & Power Company's schedule of rates is as follows:

Retail Rate.—8¢ per k.w.h.

The company furnishes standard Edison base lamps at cost prices for original installations, and furnishes renewals free of charge.

BOROUGH OF THE BRONX.

The New York Edison Company's schedule of rates for the Borough of The Bronx is the same as its schedule of rates for the Borough of Manhattan, with the exception of its Wholesale rate and its Special Wholesale rate.

The Wholesale rate is based upon a monthly minimum guarantee of 1,250 k.w.h. and one hour's average daily use of the connected installation for eight months during the year. In consideration of this guarantee the company agrees to furnish current for the first and second hours' average daily use of the total equipment at 10¢ per k.w.h.; for the third and fourth hours' average daily use of the total equipment at 7½¢; and for all above four hours' average daily use, 5¢. A discount of 5% shall be made when the monthly bills reach \$500 and 10% when they reach \$1,000, if paid within ten days after presentation.

The Special Wholesale rate is based upon a guarantee of 60,000 k.w.h. annually, costing \$3,000. In consideration of this guarantee the rates charged under this contract are the same as those charged under the Special Wholesale rate of this company for the Borough of Manhattan.

The Bronx Gas & Electric Company's schedule of rates is as follows:

Retail Service.—12¢ per k.w.h.

Commercial Lighting Service.—10¢ per k.w.h.

Multiple Arc Lighting Service (Short Term).—10¢ per k.w.h. with a minimum guarantee of \$5 per month for each arc lamp installed; with a minimum guarantee of \$3 per month for each arc lamp installed for Multiple Arc Lighting Service (*Permanent*).

Series Arc Lighting Service.—\$125 per year per lamp.

Sign Lighting Service.—10¢ per k.w.h., with a minimum monthly charge at the rate of \$3 for each sign containing 24-4 candle-power lamps or the equivalent.

Power Service.—For the first 200 k.w.h. monthly consumption, 10¢; from 200 to 400 k.w.h., 8¢; from 400 to 800 k.w.h., 7¢; from 800 to 3,200 k.w.h., 6¢; all over 3,200 k.w.h., 5¢, with a minimum monthly guarantee of \$1 per h.p. of installation. A cash discount of 5% is allowed on all monthly bills when paid within ten days after rendition.

*Wholesale Contract (Pleasure Parks).—*For the first 1,000 k.w.h. monthly consumption 10¢ per k.w.h.; from 1,000 to 2,000, 9¢; from 2,000 to 4,000, 8¢; from 4,000 to 8,000, 7¢; from 8,000 to 16,000, 6¢; all over 16,000, 5¢. Guarantee \$3,000 per annum.

The company furnishes standard Edison base carbon lamps at cost prices for original installations, and furnishes renewals free of charge.

The Westchester Lighting Company's schedule of rates is as follows:

Retail Lighting.—10¢ per k.w.h.

Retail Power Service.—10¢ per k.w.h.

In the contracts mentioned above, consumers using between 1,500 and 3,000 k.w.h. monthly are charged 8¢ per k.w.h.; from 3,000 to 5,000 k.w.h., 6¢; all over 5,000 k.w.h., 5¢.

Light and Power Rate.—This rate is based upon a guaranteed use of approximately 700 lights and 45 h.p. in motors. The base rate under this contract is 10¢ per k.w.h. net for lighting, and 10¢ per k.w.h. gross for power, with discounts varying according to the number of h.p. installed and percentage of use of same.

The company furnishes renewals of standard carbon filament lamps free, except where the rate for current consumed reaches 5¢ per k.w.h., in which case no free lamp renewals are made.

BOROUGH OF BROOKLYN.

The Edison Electric Illuminating Company's schedule of rates is as follows:

Retail Lighting Service.—12¢ per k.w.h., with a guarantee of \$1 per month per meter.

Intermediate Rate.—10¢ per k.w.h., with a guarantee by consumer of 50¢ per month per 50 watt equivalent for eight months in the year, and 25¢ per month per 50 watt equivalent for four months in the year. Minimum guarantee \$10 per month for eight months in the year and \$5 per month for four months in the year.

Wholesale Rate.—For the first two hours' daily use of installation, 10¢ per k.w.h.; for third and fourth hours' daily use, 7½¢; all over four hours' daily use, 5¢. Under this contract a guarantee of 750 kilowatt hours per month for eight months in the year, and that during such months the daily average use of the equipment shall not be less than one hour, is required. An allowance of 1¢ per kilowatt hour is made if consumer supplies and maintains his own equipment.

Special Wholesale Rate.—6¢ per k.w.h. for the first 50,000 k.w.h. annual consumption; 5¢ for the second 50,000 k.w.h. annual consumption; all over 100,000 k.w.h. annual consumption, 4¢. The term of this contract is five years, and the guarantee is \$3,000 per year.

Special Wholesale (Coney Island).—For 15,000 k.w.h. and less than 20,000 annual consumption, 10¢; from 20,000 to 30,000, 9¢; all over 30,000 k.w.h., 8¢. Term of contract, two years. Guarantee, \$1,500 per year.

Advertising Lighting Rate.—\$2.75 per 4 c.p. lamp per year; \$4 per 8 c.p. lamp per year. Average use, five hours per night.

High Tension Arc Lamp.—35¢ per night for service from one-half hour after sunset to 1 A. M.; 45¢ per night from one-half hour after sunset to one-half hour before sunrise.

Retail Power Rate.—10¢ per k.w.h., with discounts as follows: On monthly bills of over 200 k.w.h., 10%; over 300 k.w.h., 20%; over 400 k.w.h., 30%; over 550 k.w.h., 35%; over 750 k.w.h., 40%; over 1,750 k.w.h., 45%; over 3,750 k.w.h., 50%. Guarantee, \$2 per month.

Power Rate (Maximum Demand).—10¢ per k.w.h. for first 25 hours or fraction thereof per month's use of maximum demand; 5¢ per k.w.h. for the second 25 hours; 3¢ per k.w.h. for all current furnished in excess of 50 hours per month's use of the maximum demand. Whenever the portion of the bill which is figured at 3¢ per k.w.h. exceeds \$25, the discount shall be 5%; \$50, 10%; \$150, 15%; \$200, 20%; \$300, 30%; \$400, 40%; \$500, 45%; \$1,000 and over 50%. Under this agreement current may be used for lighting not to exceed one-third of the connected load; the consumer agreeing that the bills for service shall not be less than \$2,400 per year. Guarantee, \$1 per month per meter.

High Tension Service Rate.—Under this rate the consumer agrees that the maximum demand contracted for shall not be less than 200 kilowatts, costing \$6,000 yearly. The rate is \$30 annually for each kilowatt of maximum demand and 1½¢ per k.w.h. for current used. This contract is applicable to important power undertakings permitting the use of 25 cycle alternating current of 6,600 volts.

Under the Retail, Intermediate and Wholesale agreements (except where otherwise provided in the Wholesale agreements), the company furnishes the original installation and renewals of carbon incandescent lamps free of charge.

The Flatbush Gas Company's schedule of rates is as follows:

Retail Lighting.—12¢ per k.w.h.

Wholesale Rate.—For the first 800 k.w.h. of monthly consumption, 12¢ per k.w.h.; from 800 to 1,200 k.w.h., 10¢; from 1,200 to 2,000 k.w.h., 8¢; above 2,000 k.w.h., 7¢.

Sign Lighting Rate.—7½¢ per k.w.h., provided the sign is equipped with at least 50-16 c.p. lamps burning four hours per night.

Battery Charging Rate.—5¢ per k.w.h. It being agreed that there be no charging between 5 P. M. and 9 P. M.

Power Rate.—The rate is the same as the Wholesale Rate, with the following discounts on monthly bills: Between 100 and 200 h.p.h., 20%; between 200 and 400 h.p.h., 25%; between 400 and 600 h.p.h., 30%; between 600 and 800 h.p.h., 35%; between 800 and 1,000 h.p.h., 40%; between 1,000 and 1,500 h.p.h., 45%; between 1,500 and 5,000 h.p.h., 50%; all over 5,000 h.p.h., 55%.

The company furnishes the original installation and renewals of carbon incandescent lamps free of charge.

BOROUGH OF QUEENS.

The New York & Queens Electric Light & Power Company's schedule of rates is as follows:

Retail Lighting Rate.—12¢ per k.w.h., with following monthly guarantees: Apartments, residences and stores, \$1; clubhouses, halls, churches, picnic parks, political banners and factories, 5¢ per 50 watt equivalent; minimum charge, \$1 per month.

Where the company supplies arc lamps a guarantee of \$2.50 per lamp per month is required; 3 glower Nernst lamps, \$1.75 per lamp; 4 glower

Nernst lamps, \$2 per lamp; 250 watt Mazda lamps, \$1.50; 400 and 500 watt Mazda lamps, \$2.

Incandescent Special Rate.—10¢ per k.w.h., with a guarantee of 50¢ per month for each 50 watt equivalent for the eight months from August 31st to May 1st of each year, and 25¢ per month for each 50 watt equivalent for the four months from April 30th to September 1st of each year.

Power Rate.—10¢ per h.p.h., with the following deductions on monthly consumption: From 0 to 100 h.p.h., 12½%; from 100 to 200 h.p.h., 20%; from 200 to 400 h.p.h., 30%; from 400 to 600 h.p.h., 40%; from 600 to 800 h.p.h., 45%; from 800 to 1,000 h.p.h., 50%; from 1,000 to 1,250 h.p.h., 55%; from 1,250 to 1,500 h.p.h., 60%; from 1,500 to 2,000 h.p.h., 65%; all over 2,000 h.p.h., 70%. A cash discount of 5% on bills paid within ten days after rendition is allowed. During the months of April, May, June, July and August of each year, upon bills for 2,000 h.p.h. and over per month, cash discounts will be allowed in lieu of such 5%, at the following rate: From 2,000 to 4,000 h.p.h., 10%; from 4,000 to 6,000 h.p.h., 15%; all over 6,000 h.p.h., 20%. Whenever the consumption for any month exceeds 10,000 h.p.h., cash discounts will be allowed in lieu of all other cash discounts as follows: From 10,000 to 25,000 h.p.h., 20%; from 25,000 to 50,000 h.p.h., 25%; over 50,000 h.p.h., 33⅓%. A minimum guarantee of \$1 per month connected h. p. is charged, but no minimum charge shall be less than \$2 per month.

Short Term Power Rate.—10¢ per h.p.h., with the following deductions on monthly consumption: From 0 to 100 h.p.h., 12½%; from 100 to 200 h.p.h., 20%; from 200 to 400 h.p.h., 30%; from 400 to 600 h.p.h., 40%; from 600 to 800 h.p.h., 45%; all over 800 h.p.h., 50%. A cash discount of 5% will be allowed on all monthly bills when paid within ten days after rendition. During the months of April, May, June, July and August of each year, upon bills of 1,000 h.p.h. and over, cash discounts will be allowed in lieu of such 5%, according to the following schedule: From 1,000 to 2,000 h.p.h., 10%; from 2,000 to 3,000 h.p.h., 15%; all over 3,000 h.p.h., 20%. Whenever the consumption for any month exceeds 10,000 h.p.h., cash discounts will be allowed in lieu of all other cash discounts, according to the following schedule: From 10,000 to 25,000 h.p.h., 20%; from 25,000 to 50,000, 25%; all over 50,000 h.p.h. 33⅓%. The same monthly guarantee is required as in the regular power rate.

Wholesale Light or Power.—First and second hours' average daily supply, 10¢ per k.w.h.; third and fourth hours' average daily supply, 7½¢ per k.w.h.; fifth and sixth hours' average daily supply, 5¢ per k.w.h.; excess of six hours' 3¢ per k.w.h. Under this agreement the consumer guarantees a minimum charge of \$50 per month for eight months during the year and \$25 per month for four months during the year. Cash discounts upon all monthly bills in excess of \$100 if paid at the company's office within ten days after rendition thereof as follows: Upon bills in excess of \$100, but not exceeding \$250, 5%; over \$250, but not exceeding \$500, 10%; over \$500, but not exceeding \$1,000, 15%; over \$1,000, but not exceeding \$2,500, 20%; over \$2,500, 25%.

Wholesale Light or Power — Maximum Demand.—This contract is similar to the Wholesale Light or Power contract, except that it is based upon the maximum demand instead of the total installation, the consumer furnishing

the maximum demand indicating instrument. Guarantee, \$1.50 per k.w. a month for eight months of the year, and 75¢ for four months.

Electric Sign — Flat Rate.—Under this agreement the company furnishes the sign and charges a flat rate as follows for 8 c. p. lamps: If turned off at 10 p. m., \$2.50 per annum per lamp; if turned off at 11 p. m., \$2.625 per annum per lamp; if turned off at 12 p. m., \$2.75 per annum per lamp; if turned off at 1 a. m., \$2.875 per annum per lamp. Minimum installation, 240 watts.

Advertising and Outline Lighting — Flat Rate.—Same as Electric Sign — Flat Rate.

Sign Lighting Rate.—Where the consumer furnishes the sign, the Retail Lighting rate or Incandescent Special rate shall apply. Where the company furnishes the sign, the rate is 12¢ per k.w.h. under a guarantee of 12½¢ per lamp per month. The original contract is for the term of two years. Upon the renewal of such contract the guarantee shall be at the rate of 5¢ per lamp per month. If the consumer elects to give the guarantee as required under the Incandescent Special rate, then the rate shall be 10¢ per k.w.h.

Series Street Lighting Rate.—Where the consumer supplies the original equipment, 450 watt, 7.5 ampere, series enclosed arc lamps, \$.2739 per lamp per night; 75 watt, 7.5 ampere, series Tungsten lamps, \$.0850 per lamp per night. Where the company supplies the equipment, 450 watt, 7.5 ampere, series enclosed arc lamps, \$.3000 per lamp per night; 75 watt, 7.5 ampere, series Tungsten lamps, \$.0900 per lamp per night.

In the case of decorative or other temporary lighting, or where the company considers it unsafe or impracticable to install a meter to register the current used, but where the company controls the turning off and turning on of the current, and where the amount of current consumed is known to the company, such current shall be charged for at 12¢ per k.w.h. in addition to all expenses incurred by the company.

The company charges for the first installation of incandescent lamps, but furnishes free renewals.

The Queens Borough Gas & Electric Company's schedule of rates is as follows:

Retail Electric Lighting.—15¢ per k.w.h.

Electric Sign Lighting.—10¢ per k.w.h.

Electric Heating, Cooking and Automobile Charging.—6¢ per k.w.h.

Wholesale Lighting.—Where the consumer guarantees to use not less than 750 k.w.h. per month for four months during each year, the rate is 12¢ for the first hour's average daily use of the total equipment; for the second and third hours', 9¢; for the excess above three hours' average daily use, 7.5¢.

Wholesale Electric Lighting.—Where the consumer agrees to use not less than 3,000 k.w.h. per month for four months during each year, the rate is 12¢ for the first hour's average daily use of the total equipment; for the second and third hours' daily use, 9¢; for the fourth hour's daily use, 7.5¢; for the excess above four hours, 5¢.

Electric Power Rate.—10¢ per k.w.h., with the following deductions on monthly consumption: From 100 to 200 k.w.h., 5%; from 200 to 400 k.w.h., 10%; from 400 to 600 k.w.h., 20%; from 600 to 800 k.w.h., 30%; from 800 to 1,000 k.w.h., 40%; from 1,000 to 1,250 k.w.h., 50%; all over 1,250 k.w.h., 60%. Guarantee, 50¢ per h.p. per month.

Wholesale Power for Pumping Purposes.— $3\frac{1}{2}\text{¢}$ per k.w.h. where the consumer guarantees not less than 6,000 k.w.h. per month and to use the current between 7 A. M. and 5 P. M., but may take the current between the hours of 1 A. M. and 7 A. M. on ten days' written notice.

Series electric Tungsten, 75 to 85 watts street lamps, for private consumers, \$30 per lamp per year, or \$3 a month.

Series electric arc lamps, consuming 450 watts at the arc, \$13.25 per lamp per month.

Series electric arc lamps, consuming 400 watts at the arc, \$12 per lamp per month.

BOROUGH OF RICHMOND.

The Richmond Light & Railroad Company's schedule of rates is as follows:

Retail Lighting.— 10¢ per k.w.h.

Power Rate.— 5¢ per h.p.h., upon the agreement of consumer to use current only between the hours of 6 A. M. and 6 P. M.

The company charges for the first installation of incandescent lamps, but furnishes free renewals.

RATES FIXED BY LAW FOR CITY.

By chapter 733 of the Laws of 1905, as amended by chapter 390 of the Laws of 1906, the maximum price for electric current sold to the City of New York for other than street lighting is fixed at 10¢ per k.w.h. in the Boroughs of Manhattan, The Bronx, Richmond and Queens, and at 12¢ in the Borough of Brooklyn.

For electric street lamps, burning every night from 15 minutes after sunset to 45 minutes before sunrise, together with proper inspection, care and maintenance, the rate is \$100 per lamp per year for lamps consuming 450 watts at the arc, with a difference of \$2 per lamp per year for each increase or decrease of 25 watts above or below 450 watts; for two such lamps attached to a single pole, each consuming 250 watts, \$65 per lamp per year. These rates charged for electric street lamps do not apply in that portion of The Bronx formerly the old Town of Westchester.

APPENDIX E.

REPORT OF THE AUDITOR.

APPENDIX E.

REPORT OF THE AUDITOR.

PUBLIC SERVICE COMMISSION FOR THE FIRST DISTRICT.

AUDITOR'S OFFICE, December 31, 1910.

The Honorable Public Service Commissioners for the First District, New York.

GENTLEMEN:—I have the honor to submit herewith my report as Auditor, in relation to the finances and accounts of the Public Service Commission for the First District, for the period January 1, 1910, to December 31, 1910, giving in general and in detail the following:

- I. REQUISITIONS FOR THE GENERAL FUND. (Page 592.) A statement showing the requisitions made upon the Board of Estimate and Apportionment for the authorization for the issue of revenue bonds for the requirements of the Public Service Commission for the First District, from January 1, 1910, to December 31, 1910.
- II. APPROPRIATIONS FOR THE GENERAL FUND: (Pages 593, 594.) A statement showing the appropriations made by the Board of Estimate and Apportionment for the purposes of the Public Service Commission for the First District, from January 1, 1910, to December 31, 1910.
- III. DISBURSEMENTS FROM THE GENERAL FUND: (Page 595.) A statement showing the disbursements from the General Fund made under the direction of the Public Service Commission for the First District from January 1, 1910, to December 31, 1910.
- IV. REQUISITIONS AND APPROPRIATIONS FOR THE MANHATTAN-THE BRONX CONSTRUCTION FUND: (Page 596.) A statement showing the requisitions made upon the Board of Estimate and Apportionment for the authorization for the issue of corporate stock of the City of New York, and the appropriations made by the Board of Estimate and Apportionment, the proceeds thereof to be applied to the requirements of the Manhattan-The Bronx Construction Fund, under provision of the contract with John B. McDonald, Contractor, dated February 21, 1900, and the agreements amendatory thereof and supplemental thereto, for the construction and operation of the Manhattan-The Bronx Rapid Transit Railroad from January 1, 1910, to December 31, 1910.

V. CORPORATE STOCK ISSUES OF THE CITY OF NEW YORK. MANHATTAN-THE BRONX CONSTRUCTION: (Pages 597, 598.) A statement showing the issues of corporate stock of the City of New York from January 1, 1910, to December 31, 1910, the proceeds thereof to be applied to the construction of the Manhattan-The Bronx Rapid Transit Railroad.

VI. DISBURSEMENTS FOR EXTRA WORK DONE AND MATERIALS FURNISHED. MANHATTAN-THE BRONX CONSTRUCTION: (Pages 599, 600.) A statement showing the requisitions made upon the Public Service Commission for the First District and the payments authorized under the direction of the said Public Service Commission to be made for extra work done and materials furnished under provision of the contract with John B. McDonald, Contractor, dated February 21, 1900, and the agreements amendatory thereof and supplemental thereto, for the construction and operation of the Manhattan-The Bronx Rapid Transit Railroad, from January 1, 1910, to December 31, 1910.

VII. DISBURSEMENTS FOR REAL ESTATE. MANHATTAN-THE BRONX CONSTRUCTION: (Page 601.) A statement showing the payments authorized under the direction of the Public Service Commission for the First District, to be made for real estate acquired for and in behalf of the City of New York, under provision of the contract with John B. McDonald, Contractor, dated February 21, 1900, and the agreements amendatory thereof and supplemental thereto, for the construction and operation of the Manhattan-The Bronx Rapid Transit Railroad, from January 1, 1910, to December 31, 1910.

VIII. REQUISITIONS AND APPROPRIATIONS FOR THE BROOKLYN-MANHATTAN CONSTRUCTION FUND: (Page 602.) A statement showing the requisitions made upon the Board of Estimate and Apportionment for the authorization for the issue of corporate stock of the City of New York, and the appropriations made by the Board of Estimate and Apportionment, the proceeds thereof to be applied to the requirements of the Brooklyn-Manhattan Construction Fund, under provision of the contract with Rapid Transit Subway Construction Company, Contractor, dated July 21, 1902, and the agreements amendatory thereof and supplemental thereto, for the construction and operation of the Brooklyn-Manhattan Rapid Transit Railroad, from January 1, 1910, to December 31, 1910.

IX. CORPORATE STOCK OF THE CITY OF NEW YORK. BROOKLYN-MANHATTAN CONSTRUCTION FUND: (Page 603.) A statement showing the issues of corporate stock of the City of New York, from January 1, 1910, to December 31, 1910, the proceeds thereof to be applied to the construction of the Brooklyn-Manhattan Rapid Transit Railroad.

X. DISBURSEMENTS FOR EXTRA WORK DONE AND MATERIALS FURNISHED. BROOKLYN-MANHATTAN CONSTRUCTION: (Page 604.) A statement showing the requisitions made upon the Public Service Commission for the First District, and the payments authorized under the direction of the said Public Service Commission to be made for extra work done and

materials furnished under provision of the contract with the Rapid Transit Subway Construction Company, Contractor, dated July 21, 1902, and the agreements amendatory thereof and supplemental thereto, for the construction and operation of the Brooklyn-Manhattan Rapid Transit Railroad, from January 1, 1910, to December 31, 1910.

XI. DISBURSEMENTS FOR REAL ESTATE. BROOKLYN-MANHATTAN CONSTRUCTION: (Page 605.) A statement showing the payments authorized under the direction of the Public Service Commission for the First District, to be made for real estate acquired for and in behalf of the City of New York, under provision of the contract with Rapid Transit Subway Construction Company, Contractor, dated July 21, 1902, and the agreements amendatory thereof and supplemental thereto, for the construction and operation of the Brooklyn-Manhattan Rapid Transit Railroad from January 1, 1910, to December 31, 1910.

XII. REQUISITIONS AND APPROPRIATIONS FOR THE BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS) CONSTRUCTION FUNDS: (Pages 606, 607.) A statement showing the requisitions made upon the Board of Estimate and Apportionment for the authorization for the issue of corporate stock of the City of New York, and the appropriations made by the Board of Estimate and Apportionment, the proceeds thereof to be applied to the requirements of the Brooklyn-Manhattan Loop Lines (Manhattan Sections) Construction Funds under the provisions of the various contracts for the construction of the Manhattan Sections Nos. 9-O-1, 9-O-2, 9-O-3, 9-O-4 and 9-O-5 of the Brooklyn-Manhattan Loop Lines from January 1, 1910, to December 31, 1910.

XIII. CORPORATE STOCK OF THE CITY OF NEW YORK. BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS) CONSTRUCTION: (Pages 608, 609.) A statement showing the issues of corporate stock of the City of New York, from January 1, 1910, to December 31, 1910, the proceeds thereof to be applied to the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections).

XIV. CORPORATE STOCK OF THE CITY OF NEW YORK. BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS) CONSTRUCTION: (Page 610.) A statement showing the issues of corporate stock of the City of New York from January 1, 1910, to December 31, 1910, the proceeds thereof to be applied to the acquirement of real estate or interest therein in the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections).

XV. CORPORATE STOCK OF THE CITY OF NEW YORK. BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS) CONSTRUCTION: (Page 611.) A statement showing the issues of corporate stock of the City of New York from January 1, 1910, to December 31, 1910, the proceeds thereof to be applied to the maintenance of the completed portion of the Brooklyn-Manhattan Loop Lines (Manhattan Sections).

- XVI. DISBURSEMENTS FOR WORK DONE AND MATERIALS FURNISHED. BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS) CONSTRUCTION: (Page 612.) A statement showing the requisitions made upon the Public Service Commission for the First District, and the payments authorized under the direction of the said Public Service Commission to be made to the various contractors for work done and materials furnished under provision of the different contracts for the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections), from January 1, 1910, to December 31, 1910.
- XVII. DISBURSEMENTS FOR EXTRA WORK DONE AND MATERIALS FURNISHED. BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS) CONSTRUCTION: (Pages 613-615.) A statement showing the requisitions made upon the Public Service Commission for the First District, and the payments authorized under the direction of the said Public Service Commission to be made to the various contractors for extra work done and materials furnished under provision of the different contracts and the agreements amendatory thereof and supplemental thereto, for the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections) from January 1, 1910, to December 31, 1910.
- XVIII. DISBURSEMENTS FOR REAL ESTATE. BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS) CONSTRUCTION: (Pages 616-618.) A statement showing the payments authorized under the direction of the Public Service Commission for the First District to be made for real estate acquired for and in behalf of the City of New York, under provision of the various contracts and the agreements amendatory thereof and supplemental thereto, for the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections) from January 1, 1910, to December 31, 1910.
- XIX. DISBURSEMENTS FOR MAINTENANCE. BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS) CONSTRUCTION: (Page 619.) A statement showing the payments authorized under the direction of the Public Service Commission for the First District to be made for the maintenance of the completed portion of the Brooklyn-Manhattan Loop Lines (Manhattan Sections) from January 1, 1910, to December 31, 1910.
- XX. PAYMENT OF INTEREST ON THE CORPORATE STOCK ISSUED. BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS) CONSTRUCTION: (Page 619.) A statement showing the payments made under the direction of the City Comptroller, for interest due on the corporate stock issued by the City of New York, for the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections) from January 1, 1910, to December 31, 1910.
- XXI. REQUISITIONS AND APPROPRIATIONS FOR THE BROOKLYN (FOURTH AVENUE) SUBWAY CONSTRUCTION FUNDS: (Page 620.) A statement showing the requisitions made upon the Board of Estimate and Apportionment for the authorization for the issue of corporate stock of the City

of New York, and the appropriations made by the Board of Estimate and Apportionment, the proceeds thereof to be applied to the requirements of the Brooklyn (Fourth Avenue) Subway Construction Funds, under the provision of the various contracts for the construction of Sections Nos. M-B-Ex. 1, 9-C-1, 11-E-1 and 11-A-1, 11-A-2, 11-A-3 and 11-A-4 of the Brooklyn (Fourth Avenue) Subway from January 1, 1910, to December 31, 1910.

- XXII. CORPORATE STOCK OF THE CITY OF NEW YORK. BROOKLYN (FOURTH AVENUE) SUBWAY CONSTRUCTION: (Pages 621-623.) A statement showing the issues of corporate stock of the City of New York from January 1, 1910, to December 31, 1910, the proceeds thereof to be applied to the construction of the Brooklyn (Fourth Avenue) Subway.
- XXIII. CORPORATE STOCK OF THE CITY OF NEW YORK. BROOKLYN (FOURTH AVENUE) SUBWAY CONSTRUCTION: (Page 624.) A statement showing the issues of corporate stock of the City of New York from January 1, 1910, to December 31, 1910, the proceeds thereof to be applied to extra work done and materials furnished in the construction of the Brooklyn (Fourth Avenue) Subway.
- XXIV. CORPORATE STOCK OF THE CITY OF NEW YORK. BROOKLYN (FOURTH AVENUE) SUBWAY CONSTRUCTION: (Page 625.) A statement showing the issues of corporate stock of the City of New York, from January 1, 1910, to December 31, 1910, the proceeds thereof to be applied to the acquirement of real estate or interest therein in the construction of the Brooklyn (Fourth Avenue) Subway.
- XXV. DISBURSEMENTS FOR WORK DONE AND MATERIALS FURNISHED. BROOKLYN (FOURTH AVENUE) SUBWAY CONSTRUCTION: (Pages 626-629.) A statement showing the requisitions made upon the Public Service Commission for the First District, and the payments authorized under the direction of the said Public Service Commission to be made to the various contractors for work done and materials furnished under provision of the different contracts for the construction of the Brooklyn (Fourth Avenue) Subway from January 1, 1910, to December 31, 1910.
- XXVI. DISBURSEMENTS FOR EXTRA WORK DONE AND MATERIALS FURNISHED. BROOKLYN (FOURTH AVENUE) SUBWAY CONSTRUCTION: (Page 630.) A statement showing the requisitions made upon the Public Service Commission for the First District, and the payments authorized under the direction of the said Public Service Commission to be made to the various contractors for extra work done and materials furnished under provision of the different contracts and the agreements amendatory thereof and supplemental thereto, for the construction of the Brooklyn (Fourth Avenue) Subway from January 1, 1910, to December 31, 1910.
- XXVII. DISBURSEMENTS FOR REAL ESTATE. BROOKLYN (FOURTH AVENUE) SUBWAY CONSTRUCTION: (Page 631.) A statement showing the payments authorized under the direction of the Public Service Commission for the First District to be made for real estate acquired for and in

behalf of the City of New York, under provision of the various contracts and the agreements amendatory thereof and supplemental thereto, for the construction of the Brooklyn (Fourth Avenue) Subway from January 1, 1910, to December 31, 1910.

XXVIII. PAYMENT OF INTEREST ON THE CORPORATE STOCK ISSUED. BROOKLYN (FOURTH AVENUE) SUBWAY CONSTRUCTION: (Page 632.) A statement showing the payments made under the direction of the City Comptroller for interest due on the corporate stock issued by the City of New York for the construction of the Brooklyn (Fourth Avenue) Subway from January 1, 1910, to December 31, 1910.

XXIX. BALANCES OF THE FUND ACCOUNTS: Statement showing the yearly balances of the various funds, viz.:

- a. General Fund. (Page 633.)
- b. Manhattan-The Bronx Construction Fund. (Page 634.)
- c. Brooklyn-Manhattan Construction Fund. (Page 635.)
- d. Brooklyn-Manhattan Loop Lines (Manhattan Sections) Construction Funds. (Pages 636-638.)
- e. Brooklyn (Fourth Avenue) Subway Construction Funds (Pages 639, 640.)
- f. Special Account. Funds upon deposit with the City Chamberlain available for construction purposes (Page 641).

XXX. SECURITY: Statements relative to the securities deposited under the provisions of the various contracts for railroad construction and operation, viz.:

- a. Manhattan-The Bronx Contract. (Page 642.)
- b. Brooklyn-Manhattan Contract. (Page 642.)
- c. Brooklyn-Manhattan Loop Lines (Manhattan Sections) Contracts. (Page 643.)
- d. Brooklyn (Fourth Avenue) Contracts. (Pages 644, 645.)

XXXI. RENTAL: Statements showing the rental received by the City Comptroller under leases by the City of New York of the following railroads, viz.:

- a. Manhattan-The Bronx Rapid Transit Railroad. (Pages 646, 647.)
- b. Brooklyn-Manhattan Rapid Transit Railroad. (Pages 648, 649.)

XXXII. TRUST FUNDS ACCOUNT. (Page 650.) Statements relative to the funds collected by the Public Service Commission for the First District, New York, from January 1, 1910, to December 31, 1910:

Paid into the City Treasury, viz.:

- a. Miscellaneous Supplies Account.
- b. Gas Meter Account.
- c. Electric Meter Account.
- d. Official Fees Account.

XXXIII. A RECAPITULATION OF THE FOLLOWING, VIZ.:

- a. General Fund Requisitions and Appropriations, 1894 to 1907, inclusive. (Page 651.)
- b. General Fund Requisitions and Appropriations, 1907-1910. (Page 652.)
- c. General Fund Disbursements, 1894 to 1907 inclusive. (Page 653.)

- d. General Fund Disbursements, 1907-1910. (Page 654.)
- e. Manhattan-The Bronx Construction Fund Requisitions and Appropriations, 1894-1910, inclusive. (Pages 655-657.)
- f. Brooklyn-Manhattan Construction Fund Requisitions and Appropriations, 1894-1910, inclusive. (Page 658.)
- g. Brooklyn-Manhattan Loop Lines (Manhattan Sections) Construction Funds Requisitions and Appropriations, 1907-1910. (Pages 659, 660.)
- h. Brooklyn (Fourth Avenue) Subway Construction Funds Requisitions and Appropriations, 1908-1910. (Pages 661-663.)
- i. Corporate Stock issued by the City of New York for Railroad Construction 1894-1910, inclusive, viz.:
 - (1) Manhattan-The Bronx Construction Fund. (Page 664.)
 - (2) Brooklyn-Manhattan Construction Fund. (Page 665.)
 - (3) Brooklyn-Manhattan Loop Lines (Manhattan Sections) Construction Funds. (Page 666.)
 - (4) Brooklyn (Fourth Avenue) Subway Construction Funds. (Page 667.)
- j. Construction Fund Disbursements, 1894 to 1910, inclusive, viz.:
 - (1) Manhattan-The Bronx Construction. (Page 668.)
 - (2) Brooklyn-Manhattan Construction. (Page 669.)
 - (3) Brooklyn-Manhattan Loop Lines (Manhattan Sections) Construction. (Pages 670, 671.)
 - (4) Brooklyn (Fourth Avenue) Subway Construction Funds. (Pages 672, 673.)
- k. Trust Fund Accounts, 1907-1910. (Page 674.)
- l. A Summary of all Disbursements. (Page 675.)

GENERAL FUND.

1. Requisitions.

Statement of requisitions made upon the Board of Estimate and Apportionment for the issue of special revenue bonds for the requirements of the Public Service Commission for the First District, from January 1, 1910, to December 31, 1910.

November 30, 1909. As stated on page 894 of the minutes of the Public Service Commission for the First District.....	\$1,093,274 00
February 18, 1910. As stated on page 146 of the minutes of the Public Service Commission for the First District (diamond drill borings)	20,000 00
*December 9, 1910. As stated on page 802 of the minutes of the Public Service Commission for the First District.....	.....
December 31, 1910. As stated on page 857 of the minutes of the Public Service Commission for the First District.....	70,000 00

Total amount of requisitions made upon the Board of Estimate and Apportionment for the requirements of the Public Service Commission for the First District, from January 1, 1910, to December 31, 1910.....	\$1,183,274 00
--	----------------

*Requisition made upon the Board of Estimate and Apportionment for the requirements of the Public Service Commission for the First District for the year 1911 (\$985,193.45).

II. APPROPRIATIONS.

Statement showing the appropriations authorized by the Board of Estimate and Apportionment, and the issue of Special Revenue Bonds by the City Comptroller, the proceeds thereof to be applied to the requirements of the Public Service Commission for the First District, from January 1, 1910, to December 31, 1910.

[illegible]

GENERAL FUND — Continued.

II. APPROPRIATIONS — Concluded.

Statement showing the appropriations authorized by the Board of Estimate and Apportionment, and the issue of Special Revenue Bonds by the City Comptroller, the proceeds thereof to be applied to the requirements of the Public Service Commission for the First District, from January 1, 1910, to December 31, 1910.

DATE.	Amount.	Issue of revenue bonds.	Proceeds deposited in the city treasury.	Total.
June 10, 1910. As stated on page 2789 of the minutes of the Board of Estimate and Apportionment. \$593,274 00		(4 $\frac{1}{2}$ % bonds, redeemable 1911.	July 12, 1910.	\$3,000 00
		4 $\frac{1}{2}$ % bonds, redeemable 1911.	July 21, 1910.	25,000 00
		4 $\frac{1}{2}$ % bonds, redeemable 1911.	July 26, 1910.	65,000 00
		4 $\frac{1}{2}$ % bonds, redeemable 1911.	Aug. 3, 1910.	5,000 00
		3 % bonds, redeemable 1911.	Aug. 15, 1910.	5,000 00
		3 % bonds, redeemable 1911.	Aug. 24, 1910.	20,000 00
		3 % bonds, redeemable 1911.	Aug. 27, 1910. \$11,452 70	
		4 $\frac{1}{2}$ % bonds, redeemable 1911.	Aug. 27, 1910. 53,547 30	
		4 $\frac{1}{2}$ % bonds, redeemable 1911.	Aug. 30, 1910.	65,000 00
		4 $\frac{1}{2}$ % bonds, redeemable 1911.	Sept. 8, 1910.	5,000 00
		4 $\frac{1}{2}$ % bonds, redeemable 1911.	Sept. 21, 1910.	1,000 00
		4 $\frac{1}{2}$ % bonds, redeemable 1911.	Sept. 23, 1910.	15,000 00
		4 $\frac{1}{2}$ % bonds, redeemable 1911.	Sept. 28, 1910.	67,000 00
		4 $\frac{1}{2}$ % bonds, redeemable 1911.	Sept. 30, 1910.	10,000 00
		4 $\frac{1}{2}$ % bonds, redeemable 1911.	Oct. 3, 1910.	15,000 00
		4 $\frac{1}{2}$ % bonds, redeemable 1911.	Oct. 5, 1910.	5,000 00
		4 % bonds, redeemable 1911.	Oct. 11, 1910.	5,000 00
		4 % bonds, redeemable 1911.	Oct. 25, 1910.	75,000 00
		4 % bonds, redeemable 1911.	Oct. 26, 1910.	5,000 00
		4 % bonds, redeemable 1911.	Oct. 27, 1910.	5,000 00
		4 % bonds, redeemable 1911.	Nov. 9, 1910.	5,000 00
		4 % bonds, redeemable 1911.	Nov. 10, 1910.	5,000 00
		4 $\frac{1}{2}$ % bonds, redeemable 1911.	Nov. 17, 1910.	5,000 00
		4 $\frac{1}{2}$ % bonds, redeemable 1911.	Nov. 23, 1910. \$27,356 85	
		4 % bonds, redeemable 1911.	Nov. 23, 1910. 47,643 15	
		4 % bonds, redeemable 1911.	Nov. 29, 1910.	75,000 00
		4 % bonds, redeemable 1911.	Dec. 1, 1910.	5,000 00
		4 % bonds, redeemable 1911.	Dec. 6, 1910.	5,000 00
		4 % bonds, redeemable 1911.	Dec. 13, 1910.	25,000 00
		4 % bonds, redeemable 1911.	Dec. 15, 1910.	25,000 00
		4 % bonds, redeemable 1911.	Dec. 21, 1910.	37,274 00
				\$593,274 00
Total amount applied to the requirements of the Public Service Commission, from January 1, 1910, to December 31, 1910.				\$1,226,510 39
Total amount of Special Revenue Bonds (of the authorization of April 1, 1910) remaining unissued on December 31, 1910.				6,775 00
				\$1,233,285 39

* Total amount of Special Revenue Bonds of the authorization of October 29, 1909, of the Board of Estimate and Apportionment remaining unissued on December 31, 1909.
 Note.—The requisition dated December 31, 1910 (\$70,000) made by the Public Service Commission for the First District upon the Board of Estimate and Apportionment, remained unappropriated.

GENERAL FUND — Concluded.

III. DISBURSEMENTS.

Statement showing the amount of disbursements made under the direction of the Public Service Commission for the First District, from January 1, 1910, to December 31, 1910.

Compensation, Commissioners, Counsel and Secretary (chargeable to the State Fund)	General Account.	Secretary's office.	Legal Department.	Bureau of Franchises.	Bureau of Statistics and Accounts.	Bureau of Gas and Electricity.	Chief Engineer's office.	Bureau of Subway Construction.	Transportation Department.	Total.
Salaries	\$91,000 00	\$85,279 24	\$41,887 17	\$18,399 48	\$23,625 25	\$37,489 92	\$26,282 86	\$646,523 48	\$109,873 37	\$989,360 77
Arbitration (pay-roll only)								16,003 19		16,003 19
Special service	\$44,479 16									44,479 16
Employees' disbursements	807 48	560 19	273 38	112 23	75 10	895 00	79 45	5,527 86	3,999 03	12,330 62
Stationery, supplies and printing	7,868 27	2,990 80	939 52	400 71	179 29	686 47	426 35	8,764 61	1,441 06	23,697 08
Library		822 54	489 90							1,312 44
Rental	11,037 42	6,257 68	6,050 00	1,410 75	1,559 25	625 25	2,523 00	24,953 92	5,671 25	60,088 52
Telephone and telegraph	4,076 28	1,129 10	72 00				113 55	784 31		5,103 24
Furniture and fixtures	1,118 76	1,356 42		274 10	42 08	43 91	322 80	8,871 59	413 69	12,515 35
Real estate search and appraisal			160 00							160 00
Instrument supplies						56 45		4,402 28	29 80	4,488 53
Inspection, tests and analysis						91 43		*13,223 72	†1,415 95	14,731 10
Maps, plants, prints and photographic supplies	†1,454 13			331 93	60 15		130 00	7,801 26	694 39	10,471 86
Advertising	5,950 56									5,950 56
Grade crossings elimination	134 80									134 80
Miscellaneous	5,039 94	298 08	33 65	2 50	8 95	4 80	32 60	1,685 88	76 95	7,183 35
	\$81,966 80	\$97,694 05	\$49,905 62	\$20,931 70	\$25,550 07	\$39,893 23	\$29,910 61	\$738,542 10	\$123,616 39	\$1,208,010 57
Total General Fund disbursements										

* Includes the sum of \$13,213.72 expended for diamond drill borings.

† Electrical Laboratory only.

‡ Photo supplies only.

MANHATTAN-THE BRONX CONSTRUCTION FUND

IV. REQUISITIONS AND APPROPRIATIONS.

Statement of Requisitions made upon the Board of Estimate and Apportionment, for the authorization for the issue of Corporate Stock of the City of New York and the Appropriations made by the Board of Estimate and Apportionment, the proceeds thereof to be applied to the requirements of the Manhattan-The Bronx Construction Fund under provision of the contract with John B. McDonald, Contractor, dated February 21, 1900, and the agreements amendatory thereof and supplemental thereto, for the construction and operation of the Manhattan-The Bronx Rapid Transit Railroad, from January 1, 1910, to December 31, 1910.

No.	Authorized	Amount	Appropriation	Amount
17	November 30, 1909. As stated on page 902 of the minutes of the Public Service Commission for the First District, viz.: Extra work — Construction of the Zoological Park Rapid Transit Railway Station at One Hundred and Eighty-first street and Boston road, in the Borough of The Bronx.....	\$31,000 00	January 28, 1910. As stated on page 327 of the minutes of the Board of Estimate and Apportionment.....	\$31,000 00
18	June 21, 1910. As stated on page 474 of the minutes of the Public Service Commission for the First District, viz.: Extra work — Construction of additional station facilities including additional entrances and exits to certain Rapid Transit Railway stations.....	446,000 00	July 29, 1910. As stated on page 3750 of the minutes of the Board of Estimate and Apportionment.....	446,000 00
19	July 21, 1910. As stated on page 535 of the minutes of the Public Service Commission for the First District, viz.: Extra work — Proposed change of stair to Times Square Rapid Transit Subway station.....	12,000 00	July 29, 1910. As stated on page 3815 of the minutes of the Board of Estimate and Apportionment.....	12,000 00
20	September 30, 1910. As stated on page 654 of the minutes of the Public Service Commission for the First District, viz.: Extra work — Reconstruction of the easterly end of the Brooklyn Bridge station, etc., providing access between the Brooklyn Bridge subway station, the municipal building and the Chambers street station of the Brooklyn Loop Lines.....	15,000 00	October 28, 1910. As stated on page 4304 of the minutes of the Board of Estimate and Apportionment.....	15,000 00
Total amount of requisitions made upon the Board of Estimate and Apportionment for the requirements of the Public Service Commission for the First District in the construction of the Manhattan-The Bronx Rapid Transit Railroad from January 1, 1910, to December 31, 1910..		\$473,000 00	Total amount of appropriations made by the Board of Estimate and Apportionment, the proceeds to be applied to the construction of the Manhattan-The Bronx Rapid Transit Railroad, from January 1, 1910, to December 31, 1910.....	\$504,000 00

Rescindment. The Board of Estimate and Apportionment on June 10, 1910, amended the resolution adopted February 15, 1907, pursuant to a requisition (number 7) of the Rapid Transit Commission dated February 14, 1907, providing means for making changes in the Rapid Transit Railway station at One Hundred and Forty-ninth street and Third avenue, Borough of The Bronx, to read \$13,397.20 instead of \$15,000.00, thereby rescinding an amount of \$1,602.80, reduced to suffice the purposes of the original requisition.

MANHATTAN-THE BRONX CONSTRUCTION FUND

V. CORPORATE STOCK.

Statement showing the issues of corporate stock of the City of New York, from January 1, 1910, to December 31, 1910, the proceeds thereof to be applied to the construction of the Manhattan-The Bronx Rapid Transit Railroad.

NUMBER	Date of sale	Interest rate	Maturity	ISSUE OF STOCK				
				Date of issue	Rate of premium	Amount issued	Amount of premium	Amount of proceeds credited
*56.....	1910 Jan. 14	4 $\frac{7}{8}$ %	1959 November 1	1910 Jan. 13	.....	\$7,000 00	.....	\$7,000 00
*57.....	1909 Jan. 14	4 %	November 1	Jan. 14	.....	16,000 00	.....	16,000 00
58.....	1909 June 8	4 %	May 1	March 2	.0073140	20,000 00	\$146 28	20,146 28
*59.....	1910 Mar. 4	4 %	November 1	Mar. 2	.....	8,000 00	.....	8,000 00
*60.....	1910 Mar. 4	4 %	November 1	Mar. 4	.....	21,000 00	.....	21,000 00
*61.....	1909 Mar. 21	4 %	November 1	Mar. 21	.....	7,000 00	.....	7,000 00
*62.....	1909 Mar. 21	4 %	November 1	Mar. 21	.....	24,500 00	.....	24,500 00
63.....	1909 June 8	4 %	May 1	April 1	.0073140	1,000 00	7 31	1,007 31
64.....	1910 Mar. 21	4 $\frac{1}{8}$ %	1930 to 1960 March 1	April 7	.0127166	11,000 00	139 88	11,139 88
65.....	1910 Mar. 21	4 $\frac{1}{8}$ %	March 1	April 7	.0127166	37,000 00	470 52	37,470 52
66.....	1910 Mar. 21	4 $\frac{1}{8}$ %	March 1	May 4	.0127166	10,500 00	133 52	10,633 52
67.....	1910 Mar. 21	4 $\frac{1}{8}$ %	March 1	May 4	.0127166	37,000 00	470 52	37,470 52
68.....	1910 Mar. 21	4 $\frac{1}{8}$ %	March 1	May 16	.0127166	35,500 00	451 44	35,951 44
69.....	1909 June 8	4 %	May 1	June 6	.0073140	5,500 00	40 23	5,540 23
70.....	1910 Mar. 21	4 $\frac{1}{8}$ %	1930 to 1960 March 1	June 8	.0127166	4,500 00	57 22	4,557 22
71.....	1910 Mar. 21	4 $\frac{1}{8}$ %	March 1	June 8	.0127166	27,500 00	349 73	27,849 73
72.....	1910 Mar. 21	4 $\frac{1}{8}$ %	March 1	June 8	.0127166	40,500 00	515 02	41,015 02
73.....	1909 June 8	4 %	May 1	June 29	.0073140	3,000 00	21 94	3,021 94
74.....	1910 Mar. 21	4 $\frac{1}{8}$ %	1930 to 1960 March 1	July 11	.0127166	5,000 00	63 58	5,063 58
75.....	1910 Mar. 21	4 $\frac{1}{8}$ %	March 1	July 11	.0127166	44,500 00	565 89	45,065 89
76.....	1909 June 8	4 %	May 1	July 12	.0073140	1,000 00	7 31	1,007 31

* Issue of bonds sold at par value to the Commissioners of the Sinking Fund.

MANHATTAN-THE BRONX CONSTRUCTION FUND — *Concluded.*
V. CORPORATE STOCK — *Concluded.*

NUMBER	Date of sale	Interest rate	Maturity	ISSUE OF STOCK				
				Date of issue	Rate of premium	Amount issued	Amount of premium	Amount of proceeds credited
77	1910. Mar. 21	4½%	1930 to 1960. March 1	July 13	.0127166	\$46,500 00	\$591 33	\$47,091 33
78	1909. June 8	4%	1930 to 1960. May 1	Aug. 8	.0073140	3,000 00	21 94	3,021 94
79	1910. Mar. 21	4½%	1930 to 1960. March 1	Aug. 22	.0127166	103,000 00	1,309 82	104,309 82
80	1910. Mar. 21	4½%	1930 to 1960. March 1	Aug. 23	.0127166	8,000 00	101 73	8,101 73
81	1910. Mar. 21	4½%	1930 to 1960. March 1	Aug. 23	.0127166	28,000 00	356 07	28,356 07
82	1910. Mar. 21	4½%	1930 to 1960. March 1	Sept. 26	.0127166	21,000 00	267 05	21,267 05
83	1910. Mar. 21	4½%	1930 to 1960. March 1	Sept. 26	.0127166	23,000 00	292 48	23,292 48
84	1910. Mar. 21	4½%	1930 to 1960. March 1	Sept. 26	.0127166	86,000 00	1,093 63	87,093 63
85	1909. June 8	4%	1930 to 1960. May 1	Sept. 30	.0073140	2,500 00	18 28	2,518 28
86	1910. Mar. 21	4½%	1930 to 1960. March 1	Oct. 14	.0127166	28,000 00	356 07	28,356 07
87	1910. Mar. 21	4½%	1930 to 1960. March 1	Oct. 17	.0127166	9,500 00	120 80	9,620 80
88	1909. June 8	4%	1930 to 1960. May 1	Oct. 17	.0127166	74,000 00	941 03	74,941 03
89	1910. Mar. 21	4½%	1930 to 1960. March 1	Nov. 3	.0073140	200 00	1 46	201 46
90	1909. June 8	4%	1930 to 1960. May 1	Nov. 15	.0127166	18,000 00	228 90	18,228 90
91	1910. Mar. 21	4½%	1930 to 1960. March 1	Nov. 15	.0073140	1,000 00	7 31	1,007 31
92	1910. Mar. 21	4½%	1930 to 1960. March 1	Nov. 16	.0127166	74,000 00	941 03	74,941 03
93	1910. Mar. 21	4½%	1930 to 1960. March 1	Nov. 16	.0127166	13,000 00	165 32	13,165 32
94	1909. June 8	4½%	1930 to 1960. May 1	Nov. 30	.0073140	500 00	3 66	503 66
95	1910. Mar. 21	4½%	1930 to 1960. March 1	Dec. 8	.0073140	92,000 00	672 90	92,672 90
96	1910. Mar. 21	4½%	1930 to 1960. March 1	Dec. 22	.0127166	6,000 00	76 30	6,076 30
97	1910. Mar. 21	4½%	1930 to 1960. March 1	Dec. 29	.0127166	100,000 00	1,271 67	101,271 67
Total amount of corporate stock issued.....						\$1,104,200 00		
Total amount of premium on the issue of corporate stock.....							\$12,279 17	
Total amount of proceeds applicable to the construction of the Manhattan-The Bronx Rapid Transit Railroad of the City of New York from January 1, 1910, to December 31, 1910.....								\$1,116,479 17

MANHATTAN-THE BRONX CONSTRUCTION FUND.

DISBURSEMENTS.

VI. EXTRA WORK.

Statement showing the requisitions made upon the Public Service Commission for the First District and the payments authorized under the direction of the Public Service Commission to be made for extra work done and materials furnished under provision of the contract with John B. McDonald, Contractor, dated February 21, 1900, and the agreements amendatory thereof and supplemental thereto, for the construction and operation of the Manhattan-The Bronx Rapid Transit Railroad of the City of New York, from January 1, 1910, to December 31, 1910.

Requisition.	To date.	1910.	Payments authorized.	To whom.	Amount.	Total.
Ninety-sixth street improvement: 9.....	1909. December 1	February 4	As stated on page 111 of the minutes of the Public Service Commission for the First District.	John B. McDonald, Contractor	.....	\$20,777 89
Installing ventilating gratings on Broadway, between 95th and 96th streets.....	1910. October 7	October 14	As stated on page 683 of said minutes.....	John B. McDonald, Contractor	.....	750 00
Van Cortlandt Park Extension: 12 (final).....	April 30	November 11	As stated on page 741 of said minutes.....	John B. McDonald, Contractor	.....	91,983 91
Reconstructing stairways at 72d street subway station. Constructing glass elevator enclosures at 168th street, at 181st street, and at Mott avenue subway stations.	May 5	May 17	As stated on page 588 of said minutes.....	John B. McDonald, Contractor	.....	7,031 96
Constructing additional station facilities at the rapid transit subway station at 181st street and St. Nicholas avenue: 4.....	April 21	July 12	As stated on page 527 of said minutes.....	John B. McDonald, Contractor	.....	2,836 73
5.....	January 1	February 4	As stated on page 111 of said minutes.....	John B. McDonald, Contractor	\$8,332 00	
6.....	February 1	March 4	As stated on page 194 of said minutes.....	John B. McDonald, Contractor	7,159 78	
7.....	March 1	March 25	As stated on page 254 of said minutes.....	John B. McDonald, Contractor	10,691 90	
8.....	April 1	April 26	As stated on page 351 of said minutes.....	John B. McDonald, Contractor	10,775 00	
9.....	April 30	May 24	As stated on page 412 of said minutes.....	John B. McDonald, Contractor	4,554 57	
10.....	May 31	June 28	As stated on page 492 of said minutes.....	John B. McDonald, Contractor	5,285 89	
11.....	June 30	July 29	As stated on page 563 of said minutes.....	John B. McDonald, Contractor	8,052 86	
12.....	July 1	September 1	As stated on page 600 of said minutes.....	John B. McDonald, Contractor	21,075 98	
13.....	August 31	September 30	As stated on page 657 of said minutes.....	John B. McDonald, Contractor	9,340 34	
14.....	September 30	October 28	As stated on page 711 of said minutes.....	John B. McDonald, Contractor	13,206 56	
15.....	October 21	December 9	As stated on page 815 of said minutes.....	John B. McDonald, Contractor	6,080 47	
Constructing new rapid transit subway station at 190th street and St. Nicholas avenue: 4.....	November 30	December 31	As stated on page 869 of said minutes.....	John B. McDonald, Contractor	2,892 20	107,047 25
5.....	January 1	February 4	As stated on page 111 of said minutes.....	John B. McDonald, Contractor	\$21,419 38	
	February 1	March 4	As stated on page 194 of said minutes.....	John B. McDonald, Contractor	24,454 00	

MANHATTAN-THE BRONX CONSTRUCTION FUND — Continued.

DISBURSEMENTS — Continued.

VI. EXTRA WORK — Concluded.

Requisition.	To date.	1910	Payments authorized.	To whom.	Amount.	Total.
6.....	March 1	1910	As stated on page 255 of said minutes.	John B. McDonald, Contractor	\$36,654 86	
7.....	April 30	March 25	As stated on page 351 of said minutes.	John B. McDonald, Contractor	38,384 29	
8.....	April 30	April 26	As stated on page 412 of said minutes.	John B. McDonald, Contractor	27,884 87	
9.....	May 31	May 24	As stated on page 492 of said minutes.	John B. McDonald, Contractor	44,734 19	
10.....	June 30	June 28	As stated on page 563 of said minutes.	John B. McDonald, Contractor	28,047 44	
11.....	July 31	July 29	As stated on page 600 of said minutes.	John B. McDonald, Contractor	23,853 05	
12.....	August 31	September 1	As stated on page 657 of said minutes.	John B. McDonald, Contractor	28,358 02	
13.....	September 30	September 30	As stated on page 711 of said minutes.	John B. McDonald, Contractor	18,200 48	
14.....	October 31	October 28	As stated on page 815 of said minutes.	John B. McDonald, Contractor	13,248 36	\$305,238 94
Lengthening subway stations:						
1.....	March 31	May 6	As stated on page 369 of said minutes.	John B. McDonald, Contractor	\$35,515 39	
2.....	April 30	May 27	As stated on page 421 of said minutes.	John B. McDonald, Contractor	40,942 39	
3.....	May 31	May 1	As stated on page 501 of said minutes.	John B. McDonald, Contractor	46,983 33	
4.....	June 30	July 29	As stated on page 563 of said minutes.	John B. McDonald, Contractor	103,827 19	
5.....	July 31	September 1	As stated on page 610 of said minutes.	John B. McDonald, Contractor	86,813 79	
6.....	August 31	September 30	As stated on page 657 of said minutes.	John B. McDonald, Contractor	75,162 80	
7.....	September 30	November 1	As stated on page 719 of said minutes.	John B. McDonald, Contractor	74,510 66	
8.....	October 31	December 16	As stated on page 818 of said minutes.	John B. McDonald, Contractor	101,330 97	
9.....	November 30	December 31	As stated on page 869 of said minutes.	John B. McDonald, Contractor	109,986 20	675,072 72
Widening stairway on east platform 157th street subway station:						
1.....	July 31	September 1	As stated on page 600 of said minutes.	John B. McDonald, Contractor	\$2,289 60	
2.....	August 31	September 30	As stated on page 657 of said minutes.	John B. McDonald, Contractor	150 67	
3.....	September 30	October 28	As stated on page 711 of said minutes.	John B. McDonald, Contractor	1,952 34	
4.....	October 31	December 9	As stated on page 805 of said minutes.	John B. McDonald, Contractor	1,591 59	
5.....	November 30	December 31	As stated on page 868 of said minutes.	John B. McDonald, Contractor	1,526 37	5,610 57
Connecting cable manholes to sewer on 149th street, on Brook avenue and on Westchester avenue.....						2,583 30
Installing escalator at 177th street subway station.....						13,500 00
Total amount paid for extra work done and materials furnished under provision of the contract with John B. McDonald, Contractor, dated February 21, 1900, and the agreements amendatory thereof and supplemental thereto, for the construction and operation of the Manhattan-The Bronx Rapid Transit Railroad from January 1, 1910, to December 31, 1910.....						\$1,233,033 27

MANHATTAN-THE BRONX CONSTRUCTION FUND — *Concluded.*DISBURSEMENTS — *Concluded.*

VII. REAL ESTATE.

Statement showing the requisitions made upon the Public Service Commission for the First District and the payments authorized under the direction of the Public Service Commission to be made for real estate acquired, for and in behalf of the City of New York, under provision of the contract with John B. McDonald, Contractor, dated February 21, 1900, and the agreements amendatory thereof and supplemental thereto, for the construction and operation of the Manhattan-The Bronx Rapid Transit Railroad, from January 1, 1910, to December 31, 1910.

DISBURSEMENTS	Amount	Total
CLERICAL SERVICE		
Compensation of the clerk to the commissioners of appraisal appointed by the Appellate Division of the Supreme Court, First Judicial District, relative to lands situated, viz.:		
Easements—On Westchester avenue, Southern Boulevard and Boston Road, etc., in the Borough of The Bronx, New York City.	\$625 00	
Easements — In Eleventh avenue, etc., in re Fort George and Van Cortlandt park extensions, in the Borough of The Bronx, New York City.	875 00	
The City of New York — Reimbursement of a fund for expenses of commissioners of estimate and appraisal for employees, etc.: Services, etc., rendered the commissioners of appraisal appointed by the Appellate Division of the Supreme Court, First Judicial District, relative to lands situated, viz.:		
Easements — On Westchester avenue, Southern Boulevard and Boston Road, etc., in the Borough of The Bronx, New York City.	1,120 95	
Easements — In Eleventh avenue, etc., in re Fort George and Van Cortlandt park extensions, in the Borough of the Bronx, New York City.	920 72	\$3,541 67
REAL ESTATE SEARCH		
Fees for searching title to property, viz.:		
Easements — On the westerly side of St. Nicholas avenue, fifty feet south of One Hundred Ninety-first street (section 8, block 2169), in the Borough of Manhattan, New York City (Additional Search).		3 75
SPECIAL SERVICE		
Special Service — Abstracting and digesting testimony and map work in connection therewith for the purposes of the commissioners of appraisal appointed by the Appellate Division of the Supreme Court, First Judicial District, relative to lands situated, viz.:		
Easements — On Westchester avenue, Southern Boulevard and Boston Road, etc., in the Borough of The Bronx, New York City.		170 62
Total amount paid for real estate acquired under provision of the contract with John B. McDonald, contractor, dated February 21, 1900, and the agreements amendatory thereof and supplemental thereto, for the construction and operation of the Manhattan-The Bronx Rapid Transit Railroad, from January 1, 1910, to December 31, 1910		\$3,715 04

BROOKLYN-MANHATTAN CONSTRUCTION FUND

VIII. REQUISITIONS AND APPROPRIATIONS.

Statement of Requisitions made upon the Board of Estimate and Apportionment, for the authorization for the issue of Corporate Stock of the City of New York and the Appropriations made by the Board of Estimate and Apportionment, the proceeds thereof to be applied to the requirements of the Brooklyn-Manhattan Construction Fund under provision of the contract with Rapid Transit Subway Construction Company, Contractor, dated July 21, 1902, and the agreements amendatory thereof and supplemental thereto, for the construction and operation of the Brooklyn-Manhattan Rapid Transit Railroad, from January 1, 1910, to December 31, 1910.

No.	Authorized	Amount	Appropriation	Amount
5	June 21, 1910. As stated on page 474 of the minutes of the Public Service Commission for the First District, viz.: Extra work—Construction of additional station facilities including additional entrances and exits to certain Rapid Transit Railway stations.....			
6	December 2, 1910. As stated on page 779 of the minutes of the Public Service Commission for the First District, viz.: Extra work—For the acquisition of a platform strip, and the cost of additional work thereon, adjoining the platform of the Atlantic Avenue Rapid Transit Subway station, from the Long Island Railroad Company.....	\$44,000 00 2,000 00	July 29, 1910. As stated on page 3750 of the minutes of the Board of Estimate and Apportionment..... December 22, 1910. As stated on page 5634 of the minutes of the Board of Estimate and Apportionment.....	\$44,000 00 2,000 00
	Total amount of requisitions made upon the Board of Estimate and Apportionment for the requirements of the Public Service Commission for the First District, in the construction of the Brooklyn-Manhattan Rapid Transit Railroad, from January 1, 1910, to December 31, 1910.....	\$46,000 00	Total amount of appropriations made by the Board of Estimate and Apportionment, the proceeds to be applied to the Construction of the Brooklyn-Manhattan Rapid Transit Railroad, from January 1, 1910, to December 31, 1910.....	\$46,000 00

Rescindment.—The Board of Estimate and Apportionment on June 10, 1910, amended the resolution adopted June 26, 1908, pursuant to a requisition (number 3) of the Public Service Commission dated June 16, 1908 providing for the installation of a shuttle service between the Bowling Green station and the South Ferry station, Borough of Manhattan, to read \$98,900.00 instead of \$100,000.00, thereby rescinding an amount of \$1,100.00, reduced to suffice the purposes of the original requisition.

BROOKLYN-MANHATTAN CONSTRUCTION FUND.—Continued.

IX. CORPORATE STOCK.

Statement showing the issues of Corporate Stock of the City of New York, from January 1, 1910, to December 31, 1910, the proceeds thereof to be applied to the construction of the Brooklyn-Manhattan Rapid Transit Railroad.

NUMBER	Date of sale	Interest rate	Maturity	ISSUE OF STOCK				
				Date of issue	Rate of premium	Amount issued	Amount of premium	Amount of proceeds credited
29.....	1910. March 21	4½%	1930 to 1960. March 1	1910. May 16	.0127166	\$17,600 00	\$223 81	\$17,823 81
30.....	March 21	4½%	March 1	June 8	.0127166	19,500 00	248 00	19,748 00
31.....	March 21	4½%	March 1	July 13	.0127166	25,500 00	324 28	25,824 28
32.....	March 21	4½%	March 1	August 29	.0127166	71,000 00	902 89	71,902 89
33.....	March 21	4½%	March 1	September 26	.0127166	35,000 00	445 08	35,445 08
34.....	March 21	4½%	March 1	October 17	.0127166	24,000 00	305 20	24,305 20
35.....	March 21	4½%	March 1	November 15	.0127166	30,000 00	381 50	30,381 50
Total amount of corporate stock issued.....						\$222,600 00		
Total amount of premium on the issue of corporate stock.....							\$2,830 76	
Total amount of proceeds applicable to the construction of the Brooklyn-Manhattan Rapid Transit Railroad of the City of New York, from January 1, 1910, to December 31, 1910.....								\$225,430 76

BROOKLYN-MANHATTAN CONSTRUCTION FUND — *Continued.* DISBURSEMENTS.

X. EXTRA WORK.

Statement showing the requisitions made upon the Public Service Commission for the First District, and the payments authorized under the direction of the Public Service Commission to be made for extra work done and materials furnished under provision of the contract with the Rapid Transit Subway Construction Company, Contractor, dated July 21, 1902, and the agreements amendatory thereof and supplemental thereto, for the construction and operation of the Brooklyn-Manhattan Rapid Transit Railroad of the City of New York, from January 1, 1910, to December 31, 1910.

Requisition.	To date.	Payments authorized.	To whom.	Amount.	Total.
Constructing an additional ticket booth on the northbound platform of the Hoyt street subway station.....	1909. November 8	As stated on page 111 of the minutes of the Public Service Commission, First District.	Rapid Transit Subway Construction Company.....		\$325 74
Lengthening subway stations:					
1.....	1910. March 31	As stated on page 369 of said minutes.....	Rapid Transit Subway Construction Company.....	\$17,613 30	
2.....	April 30	As stated on page 421 of said minutes.....	Rapid Transit Subway Construction Company.....	19,850 25	
3.....	May 31	As stated on page 501 of said minutes.....	Rapid Transit Subway Construction Company.....	25,406 93	
4.....	June 30	As stated on page 580 of said minutes.....	Rapid Transit Subway Construction Company.....	72,106 29	
5.....	July 31	As stated on page 600 of said minutes.....	Rapid Transit Subway Construction Company.....	35,380 61	
6.....	August 31	As stated on page 657 of said minutes.....	Rapid Transit Subway Construction Company.....	23,916 21	
7.....	September 30	As stated on page 719 of said minutes.....	Rapid Transit Subway Construction Company.....	30,283 46	
8.....	October 31	As stated on page 831 of said minutes.....	Rapid Transit Subway Construction Company.....	39,665 21	
9.....	November 30	As stated on page 869 of said minutes.....	Rapid Transit Subway Construction Company.....	30,420 45	
				294,842 71	
Total amount paid for extra work done and materials furnished under provision of the contract with the Rapid Transit Subway Construction Company, Contractor, dated July 21, 1902, and the agreements amendatory thereof and supplemental thereto, for the construction and operation of the Brooklyn-Manhattan Rapid Transit Railroad, from January 1, 1910, to December 31, 1910.....					\$295,168 45

BROOKLYN-MANHATTAN CONSTRUCTION FUND — *Concluded.*DISBURSEMENTS — *Concluded.*

XI. REAL ESTATE.

Statement showing the requisitions made upon the Public Service Commission for the First District and the payments authorized under the direction of the Public Service Commission to be made for real estate acquired, for and in behalf of the City of New York, under provision of the contract with Rapid Transit Subway Construction Company, Contractor, dated July 21, 1902, and the agreements amendatory thereof and supplemental thereto, for the construction and operation of the Brooklyn-Manhattan Rapid Transit Railroad, from January 1, 1910, to December 31, 1910.

DISBURSEMENTS	Amount	Total
COMMISSIONERS OF APPRAISAL.		
Compensation of commissioners of appraisal appointed by the Appellate Division of the Supreme Court, Second Judicial District, relative to lands situated, viz.:		
Easements — Lands under Joralemon and other streets in the Borough of Brooklyn, New York City		\$750 00
Total amount paid for real estate acquired under provision of the contract with Rapid Transit Subway Construction Company, Contractor, dated July 21, 1902, and the agreements amendatory thereof and supplemental thereto, for the construction and operation of the Brooklyn-Manhattan Rapid Transit Railroad, from January 1, 1910, to December 31, 1910.		\$750 00

BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS) CONSTRUCTION FUNDS.

XII. REQUISITIONS AND APPROPRIATIONS.

Statement of requisitions made upon the Board of Estimate and Apportionment for the authorization for the issue of corporate stock of the City of New York, and the appropriations made by the Board of Estimate and Apportionment, the proceeds thereof to be applied to the requirements of the Brooklyn-Manhattan Loop Lines (Manhattan Sections) Construction Funds from January 1, 1910, to December 31, 1910.

No.	Authorized	Amount	Appropriation	Amount
Read-justment.	December 8, 1909. As stated on page 920 of the minutes of the Public Service Commission for the First District, viz.: For a readjustment of the appropriations made for construction of the various sections of the Brooklyn-Manhattan Loop Lines (Manhattan Sections) for necessary changes during the progress of the work, viz.: Section 9-0-1, Bradley Contracting Company, Contractor.			
9-0-1	<i>Original Appropriation</i> June 21, 1907. Railroad construction..... \$998,328 00 \$2,047,668 00 Pipe gallery construction..... 5,500 00 July 2, 1909. Enlargement of Chambers street station..... 550,000 00 July 2, 1909. Increasing strength of subway structure..... 325,000 00 Total..... \$1,878,828 00 \$2,047,668 00 Section 9-0-2, The Degnon Contracting Company, Contractor. April 19, 1907. Railroad construction..... \$2,952,000 00 \$3,014,418 00 Pipe gallery construction..... 83,000 00 Total..... \$3,035,000 00 \$3,014,418 00 Section 9-0-3, Cranford Company, Contractor. May 24, 1907. Railroad construction..... \$2,150,000 00 \$2,053,141 00 Pipe gallery construction..... 60,000 00 Total..... \$2,210,000 00 \$2,053,141 00		April 1, 1910. As stated on page 1402 of the minutes of the Board of Estimate and Apportionment..... \$2,047,668 00 <	

AUDITOR'S REPORT.

607

9-0-4	Section 9-0-4, The Bradley Contracting Company, Contractor. June 21, 1907.	Railroad construction..... \$1,518,302 00 \$1,653,943 00 Pipe gallery construction..... 29,040 00 40,000 00 Total..... \$1,547,342 00 \$1,693,943 00	.....	April 1, 1910. As stated on page 1402 of the minutes of the Board of Estimate and Apportionment..... 1,693,943 00	.....
	Section 9-0-5, The Bradley Contracting Company, Contractor. June 21, 1907.	Railroad construction..... \$1,229,136 00 \$1,085,436 00 Pipe gallery construction..... 69,300 00 75,000 00 Total..... \$1,298,436 00 \$1,160,436 00	.....	April 1, 1910. As stated on page 1402 of the minutes of the Board of Estimate and Apportionment..... 1,160,436 00	.....
Effecting no change in the total amount (\$9,969,606) of the original authorizations.					
*6G	March 15, 1910. For the requirements of the Public Service Commission for the First District, viz.: Real estate and interest therein.....	\$25,000 00	.....	March 18, 1910. As stated on page 1263 of the minutes of the Board of Estimate and Apportionment.....	\$25,000 00
9	March 15, 1910. As stated on page 219 of the minutes of the Public Service Commission for the First District, viz.: Maintenance of the completed portion of the subway.....		\$3,000 00	April 1, 1910. As stated on page 1450 of the minutes of the Board of Estimate and Apportionment.....	3,000 00
*6H	June 4, 1910. For the requirements of the Public Service Commission for the First District, viz.: Real estate and interest therein.....	\$403,855 00	.....	June 24, 1910. As stated on page 3096 of the minutes of the Board of Estimate and Apportionment.....	403,855 00
1C	Dec. 23, 1910. As stated on page 837 of the minutes of the Public Service Commission for the First District, viz.: Real estate and interest therein (all sections)		1,850,000 00	.....	.....
Total amount of appropriations made by the Board of Estimate and Apportionment for the requirements of the Public Service Commission for the First District, in the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections) from January 1, 1910, to December 31, 1910.....					
			\$1,853,000 00	Total amount of appropriations made by the Board of Estimate and Apportionment, the proceeds to be applied to the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections) from January 1, 1910, to December 31, 1910....	\$431,855 00

*Supplemental authorizations for appropriations to be made on account of the requisition made upon the Board of Estimate and Apportionment dated October 16, 1907, for \$1,000,000 for real estate and interest therein.

BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS) CONSTRUCTION FUNDS — Continued.

XIII. CORPORATE STOCK.

Statement showing the issue of corporate stock of the City of New York, from January 1, 1910, to December 31, 1910, the proceeds thereof to be applied to the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections).

SECTION	No.	Date of sale	Inter-est rate	Maturity	ISSUE OF STOCK							Total
					Date of issue	Rate of premium	Amount issued	Total	Amount of premium	Total	Amount of proceeds credited	
9-O-1 Sub- title No. 3	10	1909, June 8	4%	1959. May 1 May 1 May 1 May 1 May 1	1910, May 26	.0073140	\$28,000 00	\$55,600 00	\$204 79	\$626 08	\$28,204 79	\$86,226 08
	11	June 8	4%		June 27	.0073140	19,000 00		138 97		19,138 97	
	12	June 8	4%		July 13	.0073140	3,600 00		26 33		3,626 33	
	13	June 8	4%		Aug. 1	.0073140	5,000 00		36 57		5,036 57	
	14	June 8	4%		May 1	.0073140	28,000 00		204 79		28,204 79	
	15	June 8	4%	May 1	Sept. 10	.0073140	2,000 00		14 63		2,014 63	
9-O-2 Sub- title No. 1	27	June 8	4%	May 1	Feb. 7	.0073140	\$33,000 00	\$379,000 00	\$241 36	2,772 03	\$33,241 36	\$381,772 03
	28	June 8	4%	May 1	Feb. 18	.0073140	11,000 00		80 46		11,080 46	
	29	June 8	4%	May 1	April 23	.0073140	35,000 00		256 00		35,256 00	
	30	June 8	4%	May 1	July 23	.0073140	207,000 00		1,514 01		208,514 01	
	31	June 8	4%	May 1	Aug. 9	.0073140	4,000 00		29 26		4,029 26	
9-O-3 Sub- title No. 2.	32	June 8	4%	May 1	Sept. 13	.0073140	3,000 00		21 94		3,021 94	
	33	June 8	4%	May 1	Sept. 15	.0073140	46,000 00		336 44		46,336 44	
	34	June 8	4%	May 1	Oct. 17	.0073140	40,000 00		292 56		40,292 56	
	27	June 8	4%	May 1	Jan. 15	.0073140	\$20,000 00		\$146 28		\$20,146 28	
	28	June 8	4%	May 1	Aug. 8	.0073140	31,500 00	319,500 00	230 39	2,336 84	31,730 39	321,836 84
	29	June 8	4%	May 1	Nov. 3	.0073140	268,000 00		1,960 17		269,960 17	

9-O-4 Sub-title No. 4.	26	1909.	4%	1959.	.0073140	\$30,000 00	\$219 42	\$30,219 42
	27	June 8	4%	May 1	.0073140	15,000 00	109 71	15,109 71
	28	June 8	4%	May 1	.0073140	13,500 00	98 73	13,598 73
	29	June 8	4%	May 1	.0073140	22,000 00	160 91	22,160 91
	30	June 8	4%	May 1	.0073140	75,000 00	548 55	75,548 55
	31	June 8	4%	May 1	.0073140	23,000 00	168 22	23,168 22
	32	June 8	4%	May 1	.0073140	23,000 00	182 85	23,182 85
	33	June 8	4%	May 1	.0073140	36,000 00	263 31	36,263 31
	34	June 8	4%	May 1	.0073140	23,500 00	171 88	23,671 88
	35	June 8	4%	May 1	.0073140	32,000 00	234 05	32,234 05
	36	June 8	4%	May 1	.0073140	15,000 00	109 71	15,109 71
						\$310,000 00	\$2,267 34	\$312,267 34
						\$1,094,100 00		
							\$8,002 29	
								\$1,102,102 29
Total amount of corporate stock issued.....								
Total amount of premium on issue of corporate stock.....								
Total amount of proceeds applicable to the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections) from January 1, 1910, to December 31, 1910.....								

BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS) CONSTRUCTION FUNDS — *Continued.*XIV. CORPORATE STOCK — *Continued.*

Statement showing the issue of corporate stock of the City of New York from January 1, 1910, to December 31, 1910, the proceeds thereof to be applied to the acquirement of real estate or interest therein in the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections).

SECTION	No.	Date of sale	Inter-est rate	Maturity	ISSUE OF STOCK						Amount of proceeds credited	Total
					Date of issue	Rate of premium	Amount issued	Total	Amount of premium	Total		
Entire route	10	1909.	4%	1959.	1910.							
	11	June 8	4%	May 1	Mar. 12	.0073140	\$2,000 00		\$14 63		\$2,014 63	
	*12	June 8	4%	Nov. 1	Mar. 18	.0073140	4,400 00		32 18		4,432 18	
	*13	Apr. 14	4%	Nov. 1	April 14		2,000 00				2,000 00	
		Apr. 20	4%	Nov. 1	April 20		100 00				100 00	
	*14	July 14	4%	Nov. 1	July 14		3,000 00				3,000 00	
	*15	Aug. 11	4%	Nov. 1	Aug. 13		6,290 00				6,290 00	
	*16	Nov. 16	4%	Nov. 1	Nov. 29		170 00				170 00	
	*17	Dec. 1	4%	Nov. 1	Dec. 2		5,000 00				5,000 00	
	*18	Dec. 7	4%	Nov. 1	Dec. 12		500 00				500 00	
Total amount of corporate stock issued.								\$23,460 00		\$46 81		\$23,506 81
Total amount of premium on issues of corporate stock.								\$23,460 00		\$46 81		
Total amount of proceeds applicable to the acquirement of real estate or interest therein in the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections), from January 1, 1910, to December 31, 1910.												\$23,506 81

* Issue of bonds sold at par value to the Commissioners of the Sinking Fund.

BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS) CONSTRUCTION FUNDS — *Continued.*XV. CORPORATE STOCK — *Concluded.*

Statement showing the issue of corporate stock of the City of New York from January 1, 1910, to December 31, 1910, the proceeds thereof to be applied to the maintenance of the completed portion of the Brooklyn-Manhattan Loop Lines (Manhattan Sections).

SECTION	No.	Date of sale	Inter-est rate	Maturity	ISSUE OF STOCK							Total			
					Date of issue	Rate of premium	Amount issued	Total	Amount of premium	Total	Amount of proceeds credited				
Entire route	*10	1910. July 8	4%	1959. Nov. 1	1910. July 8		\$500 00				\$500 00	\$900 00			
	*11	July 25	4%	Nov. 1	July 22	.....	50 00		.....		50 00				
	*12	Aug. 18	4%	Nov. 1	Aug. 19	.....	100 00		.....		100 00				
	*13	Aug. 18	4%	Nov. 1	Sept. 23	.....	50 00		.....		50 00				
	*14	Aug. 18	4%	Nov. 1	Oct. 25	.....	50 00		.....		50 00				
	*15	Nov. 16	4%	Nov. 1	Nov. 25	.....	50 00		.....		50 00				
	*16	Dec. 7	4%	Nov. 1	Dec. 13	.....	50 00		.....		50 00				
	*17	Dec. 7	4%	Nov. 1	Dec. 28		50 00	\$900 00			50 00				
Total amount of corporate stock issued.....													\$900 00		
Total amount of premium on issue of corporate stock.....															
Total amount of proceeds applicable to the maintenance of the completed portion of the Brooklyn-Manhattan Loop Lines (Manhattan Sections) from January 1, 1910, to December 31, 1910.....															\$900 00

* Issue of bonds sold at par value to the Commissioners of the Sinking Fund.

BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS) CONSTRUCTION FUNDS — Continued.

XVI. DISBURSEMENTS.

Statement showing the requisitions made upon the Public Service Commission for the First District, and the payments authorized under the direction of the Public Service Commission to be made to the various contractors, for work done and materials furnished under the provisions of the different contracts for the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections), from January 1, 1910, to December 31, 1910.

SECTION	Requisition No.	To date	Payments authorized	To contractor	Amount	Total	
9-O-2 Sub-title No. 1.	{ 29 30	1909. Nov. 31	As stated on page 31 of the minutes of the Public Service Commission (First District)..... As stated on page 77 of said minutes.....	The Degnon Contracting Co..... The Degnon Contracting Co.....	\$37,982.25 11,250.99	\$49,233.24	
		Dec. 31					Jan. 25
		9-O-3 Sub-title No. 2.					{ 28 29
Dec. 31	Feb. 18						
Final	{ 30 32		1910. Jan. 31	As stated on page 174 of said minutes..... As stated on page 581 of said minutes.....	The Cranford Company..... The Cranford Company.....	206,702.22	
		Aug. 4	Aug. 16				
		9-O-4 Sub-title No. 4.	{ 29 30				1909. Dec. 31
1910 Jan. 31	Feb. 23						
9-O-4 Sub-title No. 4. Pipe galleries	{ 31 32 33			Feb. 28	As stated on page 247 of said minutes..... As stated on page 296 of said minutes..... As stated on page 406 of said minutes.....	The Bradley Contracting Co..... The Bradley Contracting Co..... The Bradley Contracting Co.....	21,056.67 22,426.15 25,406.64
		Mar. 31	Apr. 19				
		9-O-5 Sub-title No. 5 Pipe galleries	{ 34 35 36	Apr. 30			
May 31	June 17						
9-O-5 Sub-title No. 5 Pipe galleries	{ 2 3			1909. Nov. 30	As stated on page 66 of said minutes..... As stated on page 67 of said minutes.....	The Bradley Contracting Co..... The Bradley Contracting Co.....	\$626.06 1,984.50
		Dec. 31	Jan. 21				
		9-O-5 Sub-title No. 5 Pipe galleries	{ 4 5 6	1910 Jan. 31			
Feb. 28	Mar. 22						
9-O-5 Sub-title No. 5 Pipe galleries	{ 8			1909. Nov. 30	As stated on page 67 of said minutes.....	The Bradley Contracting Co.....	
			Jan. 21				
		Total amount paid to the various contractors for work done and materials furnished under the different contracts for the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections) from January 1, 1910, to December 31, 1910.....					
						\$471,084.64	

BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS) CONSTRUCTION FUNDS — Continued.
DISBURSEMENTS — Continued.

XVII. EXTRA WORK.

Statement showing the requisitions made upon the Public Service Commission for the First District, and the payments authorized under the direction of the Public Service Commission to be made to the various contractors for extra work done and materials furnished under the provisions of the different contracts and the agreements amendatory thereof and supplemental thereto, for the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections), from January 1, 1910, to December 31, 1910.

SEC- TION	Requisition	To date	Payments authorized	To whom	Amount	Total
9-O-1 Sub-title No. 3	(Duane Street off-line sewer construction: 2-A.....	1909 July 31	1910 July 15	As stated on page 532 of the minutes of the Public Service Commission (First District).....	Bradley Contracting Co.....	\$7,400 70
	3-A.....	Aug. 31	July 15	As stated on page 532 of said minutes..	Bradley Contracting Co.....	10,019 29
	4-A.....	Sept. 30	July 15	As stated on page 532 of said minutes..	Bradley Contracting Co.....	2,945 20
	5-A.....	Oct. 31	July 15	As stated on page 532 of said minutes..	Bradley Contracting Co.....	4,531 50
	6-A.....	Dec. 31	July 15	As stated on page 532 of said minutes..	Bradley Contracting Co.....	3,967 20
						\$28,463 89
	(Duane Street off-line sewer construction (E. of Broadway): 1-AA.....	Nov. 30	Feb. 18	As stated on page 155 of said minutes..	Bradley Contracting Co.....	\$13,731 40
	2-AA.....	Dec. 31	Feb. 18	As stated on page 155 of said minutes..	Bradley Contracting Co.....	16,986 71
		1910				
	3-AA.....	Jan. 31	June 10	As stated on page 454 of said minutes..	Bradley Contracting Co.....	11,883 67
	4-AA.....	Feb. 28	June 10	As stated on page 454 of said minutes..	Bradley Contracting Co.....	4,345 70
	5-AA.....	Mar. 31	June 10	As stated on page 454 of said minutes..	Bradley Contracting Co.....	3,361 34
	6-AA.....	April 30	June 28	As stated on page 492 of said minutes..	Bradley Contracting Co.....	3,657 74
	7-AA.....	May 31	July 15	As stated on page 532 of said minutes..	Bradley Contracting Co.....	4,574 63
	8-AA.....	June 30	Aug. 16	As stated on page 580 of said minutes..	Bradley Contracting Co.....	1,993 63
						60,534 82
						\$88,998 71

BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS) CONSTRUCTION FUNDS — *Continued.*DISBURSEMENTS — *Concluded.*XVII. EXTRA WORK — *Concluded.*

SEC- TION	Requisition	To date	Payments authorized	To whom	Amount	Total
9-O-2 Sub-title No. 1.	Increasing strength of subway structures, viz.: Support to modern buildings: B-5..... B-6..... B-7..... B-8..... B-9..... Steel concrete pile foundation and work incidental thereto, etc..... Excavation of peat and back-filling along Centre street: 1-E..... 2-E..... 3-E..... Making wash borings below sub-grade along Centre street. Constructing crossover A-2..... Laying high pressure water main along Centre street..... Constructing retaining wall, north side of Canal street: 1-G..... 2-G..... Changes in crossover south of Canal street station..... Underpinning buildings 152-158 Centre street.	1909. Sept. 30 Oct. 31 Nov. 30 Dec. 31 1910 July 21 Mar. 30 June 25 June 25 June 25 July 20 July 21 July 26 Aug. 23 Aug. 23 Aug. 23 Aug. 23	1910. April 12 April 12 April 12 April 12 Aug. 2 July 1 July 19 July 19 July 19 Aug. 2 Aug. 2 Aug. 2 Sept. 1 Sept. 1 Sept. 1 Sept. 1	The Degnon Contracting Co.... The Degnon Contracting Co.... The Degnon Contracting Co.... The Degnon Contracting Co.... The Degnon Contracting Co.... The Degnon Contracting Co.... The Degnon Contracting Co.... The Degnon Contracting Co.... The Degnon Contracting Co.... The Degnon Contracting Co.... The Degnon Contracting Co.... The Degnon Contracting Co.... The Degnon Contracting Co.... The Degnon Contracting Co.... The Degnon Contracting Co.... The Degnon Contracting Co.... The Degnon Contracting Co.... The Degnon Contracting Co....	\$30,558 60 720 00 918 00 2,880 00 19,974 91 207,261 00 3,447 81 1,396 98 799 52 1,837 96 1,802 91 25,922 00 3,358 06 6,918 02 235 48 9,056 61	

AUDITOR'S REPORT.

[illegible]

Total amount paid to the various contractors for extra work and materials furnished under the different contracts and the agreements amending thereof and supplemental thereto, for the construction of the Brooklyn-Manhattan Loop Lines (Manhattan sections), from January 1, 1909, to December 31, 1910

\$614,552 26

BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS)
CONSTRUCTION FUNDS — *Continued.*

DISBURSEMENTS — *Continued.*

XVIII. REAL ESTATE.

Statement showing the requisitions made upon the Public Service Commission for the First District, New York, and the payments authorized under the direction of the Public Service Commission, to be made for real estate acquired for and in behalf of the City of New York, under provision of the various contracts and the agreements amendatory thereof and supplemental thereto, for the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections), from January 1, 1910, to December 31, 1910.

DISBURSEMENTS	Amount	Total
CLERICAL SERVICE		
The City of New York — Reimbursement of a fund for expenses of Commissioners of Estimate and Appraisal for employees, etc.: Services, etc., rendered the commissioners of appraisal appointed by the Appellate Division of the Supreme Court, First Judicial District, relative to lands situated, viz.:		
Estate in fee and easements—Acquiring the fee of certain premises, and a permanent and perpetual underground right, easement and right of way, also a temporary easement in other premises situated at or near the northeast corner of Broome street and Cleveland place in the Borough of Manhattan, New York City (Section 9-O-4).....	\$1,428 18	
Estate in fee and easements — Acquiring the fee of certain premises, and a permanent and perpetual underground right, easement and right of way, also a temporary easement in other premises on either side of Delancey street extension, between Bowery and Elizabeth streets in the Borough of Manhattan, New York City (Section 9-O-4).....	1,412 19	
Estate in fee — Acquiring the fee of certain premises on the west side of Centre street between White street and Canal street, and on the east side of Centre street, between Walker street and Canal street in the Borough of Manhattan, New York City (Section 9-O-2).....	1,575 76	
Estate in fee and easements — Acquiring the fee of certain premises and a permanent and perpetual underground right, easement and right of way, also a temporary easement in other premises at or near the southeasterly corner of Walker street and Centre street in the Borough of Manhattan, New York City (Section 9-O-2).....	886 59	
Estate in fee — Acquiring the fee of certain premises on the westerly side of Centre street between Canal street and Howard street, and on the northeast corner of Canal street and Centre street, and on the northwest corner of Centre street and Lafayette street, in the Borough of Manhattan, New York City (Sections 9-O-3 and 9-O-1).....	1,151 09	
Stenographic services rendered the commissioners of appraisal appointed by the Appellate Division of the Supreme Court, Second Judicial District, relative to lands situated, viz.:		
Estate in fee — Acquiring the fee of certain premises on the westerly side of Centre street between Canal street and Howard street, and on the northeast corner of Canal street and Centre street, and on the northwest corner of Centre street and Lafayette street, in the Borough of Manhattan, New York City (Sections 9-O-3 and 9-O-1).....	155 05	
		\$6,608 86
SPECIAL SERVICE		
Compensation for experts in examining and appraising values of machinery, etc. and attending hearings before commissioners of appraisal appointed by the Appellate Division of the Supreme Court, First Judicial District, relative to lands situated, viz.:		
Estate in fee — Acquiring the fee of certain premises on the westerly side of Centre street between Canal street and Howard street, and on the northeast corner of Canal street and Centre street and on the northwest corner of Centre street and Lafayette street in the Borough of Manhattan, New York City (Sections 9-O-3 and 9-O-1).....	\$600 00	

XVIII. REAL ESTATE — *Continued.*

DISBURSEMENTS	Amount	Total
Estate in fee and easements — Acquiring the fee of certain premises, and a permanent and perpetual underground right, easement and right of way, also a temporary easement in other premises situated at or near the northeast corner of Broome street and Cleveland place in the Borough of Manhattan, New York City (Section 9-O-4).....	\$225 00	
Compensation to real estate experts for appraising the value of the Hallenbeck Building at the southeast corner of Park street and Pearl street in the Borough of Manhattan, New York City (Section 9-O-1).....	300 00	
Compensation for photographic service rendered for the purposes of commissioners of appraisal appointed by the Appellate Division of the Supreme Court, First Judicial District, relative to lands situated, viz.:		
Estate in fee and easements — Acquiring the fee of certain premises, and a permanent and perpetual underground right, easement and right of way, also a temporary easement in other premises situated at or near the northeast corner of Broome street and Cleveland place in the Borough of Manhattan, New York City (Section 9-O-4).....	28 00	
Estate in fee — Acquiring the fee of certain premises on the west side of Centre street between White street and Canal street, and on the east side of Centre street between Walker street and Canal street in the Borough of Manhattan, New York City (Section 9-O-2).....	44 00	
Easements — Acquiring permanent and temporary easements of certain premises situated at or near City Hall place, Duane street, Pearl street, Centre and Lafayette streets, in the Borough of Manhattan, New York City (Section 9-O-1).....	23 00	
		\$1,220 00
ADVERTISING		
Advertising notices in the matter of the application and petition of the Public Service Commission for the First District, New York, for the appointment of commissioners of appraisal by the Appellate Division of the Supreme Court, First Judicial District, relative to lands, viz.:		
Estate in fee — Acquiring the fee of certain premises known as No. 20 Duane street and No. 49 Centre street, in the Borough of Manhattan, New York City (Section 9-O-1).....	\$1,159 60	
Estate in fee and easements — Acquiring the fee of certain premises and a permanent and perpetual underground right, easement and right of way, also a temporary easement in other premises at or near the southeasterly corner of Walker street and Centre street, in the Borough of Manhattan, New York City (Section 9-O-2).....	297 00	
Estate in fee — Acquiring the fee of certain premises on the West side of Centre street between White street and Canal street, and on the east side of Centre street between Walker street and Canal street in the Borough of Manhattan, New York City (Section 9-O-2).....	690 00	
Estate in fee and easements — Acquiring the fee of certain premises, and permanent and perpetual underground right, easement and right of way, also a temporary easement in other premises on either side of Delancey street extension between Bowery and Elizabeth streets, in the Borough of Manhattan, New York City (Section 9-O-4).....	300 50	
Advertising notices of the filing for confirmation reports of the commissioners of appraisal appointed by the Appellate Division of the Supreme Court, First Judicial District, relative to lands, viz.:		
Estate in fee — Acquiring the fee of certain premises on the westerly side of Centre street between Canal street and Howard street, and on the northeast corner of Canal street and Centre street and on the northwest corner of Centre street and Lafayette street, in the Borough of Manhattan, New York City (Sections 9-O-3 and 9-O-1).....	758 25	
Estate in fee and easements — Acquiring the fee of certain premises, and a permanent and perpetual underground right, easement and right of way, also a temporary easement in other premises situated at or near the northeast corner of Broome street and Cleveland place, in the Borough of Manhattan, New York City (Section 9-O-4).....	776 25	
		3,981 60

BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS)
CONSTRUCTION FUNDS — *Continued.*XVIII. REAL ESTATE — *Concluded.*

DISBURSEMENTS	Amount	Total
REAL ESTATE SEARCH		
Fees for information searches of various properties, viz.:		
Estate in fee and easements — Acquiring the fee of certain premises, and a permanent and perpetual underground right, easement and right of way, also a temporary easement in other premises on either side of Delancey street extension, between Bowery and Elizabeth streets, in the Borough of Manhattan, New York City (Section 9-O-4)	\$38 50	
Estate in fee — Acquiring the fee of certain premises on the westerly side of Centre street between Canal street and Howard street, and on the northeast corner of Canal street and Centre street, and on the northwest corner of Centre street and Lafayette street, in the Borough of Manhattan, New York City (Sections 9-O-3 and 9-O-1)	5 40	\$43 90
COMMISSIONERS OF APPRAISAL		
Compensation for commissioners of appraisal appointed by the Appellate Division of the Supreme Court, First Judicial District, relative to lands, viz.:		
Estate in fee and easements — Acquiring the fee of certain premises, and a permanent and perpetual underground right, easement and right of way, also a temporary easement in other premises situated at or near the northeast corner of Broome street and Cleveland place, in the Borough of Manhattan, New York City (Section 9-O-4)	\$6,290 00	
Estate in fee — Acquiring the fee of certain premises on the west side of Centre street between White street and Canal street, and on the east side of Centre street between Walker street and Canal street, in the Borough of Manhattan, New York City (Section 9-O-2)	2,980 00	
Estate in fee — Acquiring the fee of certain premises on the westerly side of Centre street between Canal street and Howard street, and on the northeast corner of Canal street and Centre street, and on the northwest corner of Centre street and Lafayette street, in the Borough of Manhattan, New York City (Sections 9-O-3 and 9-O-1)	650 00	9,920 00
REAL ESTATE		
Estate in fee — Property known as Nos. 145 to 149 Centre street and Nos. 105 to 109 Walker street, in the Borough of Manhattan, New York City, acquired by deed of conveyance to the City of New York from the Rossiter Realty Company dated December 9, 1908 — Additional payment for interest on the purchase price made under the direction of the Public Service Commission (Section 9-O-2)		4,387 49
Total amount paid for real estate acquired under provision of the various contracts and the agreements amendatory thereof and supplemental thereto, for the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections) from January 1, 1910, to December 31, 1910		\$26,161 85

BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS)
CONSTRUCTION FUNDS — Continued.

DISBURSEMENTS — Continued.

XIX. MAINTENANCE.

Statement showing the payments authorized under the direction of the Public Service Commission for the First District, New York, to be made for the maintenance of the completed portion of the Brooklyn-Manhattan Loop Lines (Manhattan Sections) from January 1, 1910, to December 31, 1910.

DISBURSEMENTS	Amount	Total
Sections 9-O-1, 9-O-2, 9-O-3 { For miscellaneous supplies.....	\$546 11	
9-O-4 and 9-O-5 (entire route) { For compensation of employees.....	311 57	
		\$857 68
Total disbursements for maintenance of the Brooklyn-Manhattan Loop Lines (Manhattan Sections) from January 1, 1910, to December 31, 1910.....		\$857 68

BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS)
CONSTRUCTION FUNDS — Continued.

DISBURSEMENTS — Continued.

XX. INTEREST ON CORPORATE STOCK.

Statement showing the payments made under the direction of the City Comptroller, for interest due on corporate stock issued by the City of New York, for the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections), from July 1, 1907, to December 31, 1910.

FOR WHAT	No	Due	Amount	Total
*The payment of interest due on the corporate stock issued by the City of New York for the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections).	1	Nov. 1, 1907	\$675 56	
	2	May 1, 1908	\$27,845 00	
	3	Nov. 1, 1908	68,345 00	
	4	May 1, 1909	\$94,182 85	
	5	Nov. 1, 1909	125,521 12	
	6	May 1, 1910	\$143,329 06	
	7	Sept. 1, 1910	.....	
		Nov. 1, 1910	156,007 67	
Total amount in interest paid on the corporate stock issued by the City of New York for the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections) from July 1, 1907, to December 31, 1910.....				\$615,906 26

* Charged to "Interest on City Debt" account, City Comptroller's office. Not applied to the Brooklyn-Manhattan Loop Lines (Manhattan Sections) construction funds account.

BROOKLYN (FOURTH AVENUE) SUBWAY CONSTRUCTION FUNDS.

XXI. REQUISITIONS AND APPROPRIATIONS.

Statement of requisitions made upon the Board of Estimate and Apportionment for the issue of corporate stock of the City of New York, and the appropriations made by the Board of Estimate and Apportionment, the proceeds thereof to be applied to the requirements of the Brooklyn (Fourth Avenue) Subway Construction Funds from January 1, 1910, to December 31, 1910.

No.	Authorized	Amount	Appropriation	Amount
7	February 15, 1910. As stated on page 138 of the minutes of the Public Service Commission for the First District, viz.: Real estate and interest therein (all sections).....	\$200,000 00	{ March 4, 1910. As stated on page 996 of the minutes of the Board of Estimate and Apportionment..... April 29, 1910. As stated on page 1766 of said minutes...	\$20,500 00 25,000 00
8	March 15, 1910. As stated on page 220 of the minutes of the Public Service Commission for the First District, viz.: Extra work and materials (all sections)..... \$250,000 00 Aggregate appropriation made by the Board of Estimate and Apportionment reduced to suffice the purposes of the original requisition..... 50,000 00	200,000 00	April 29, 1910. As stated on page 1772 of the minutes of the Board of Estimate and Apportionment.....	200,000 00
9	April 28, 1910. As stated on page 351 of the minutes of the Public Service Commission for the First District, viz.: Extra work on section M-B-Ex. 1, Manhattan bridge extension (Myrtle avenue modification).....	30,458 00	May 20, 1910. As stated on page 2043 of the minutes of the Board of Estimate and Apportionment.....	30,458 00
	Total amount of requisitions made upon the Board of Estimate and Apportionment for the requirements of the Public Service Commission for the First District in the construction of the Brooklyn (Fourth Avenue) subway, from January 1, 1910, to December 31, 1910.....	\$430,458 00	Total amount of appropriations made by the Board of Estimate and Apportionment, the proceeds to be applied to the construction of the Brooklyn (Fourth Avenue) subway, from January 1, 1910, to December 31, 1910.....	\$275,958 00

XXII. CORPORATE STOCK.

Statement showing the issue of corporate stock of the City of New York, from January 1, 1910, to December 31, 1910, the proceeds thereof to be applied to the construction of the Brooklyn (Fourth Avenue) Subway.

[illegible]

BROOKLYN (FOURTH AVENUE) SUBWAY CONSTRUCTION FUNDS — Continued.

XXII. CORPORATE STOCK — Continued.

SECTION	No.	Date of sale	Interest rate	Maturity	ISSUE OF STOCK					
					Date of issue	Rate of premium	Amount issued	Total	Amount of premium	Total
11-E-1 & 11-A-1	*1	1910.		1959.	Feb. 19	.....	\$1,000 00			
	*2	Feb. 19	4 %	Nov. 1	Mar. 11	.....	13,000 00			\$1,000 00
		Mar. 11	4 %	1930 to 1960.						13,000 00
	3	Mar. 21	4 %	Mar. 1	April 4	.0127166	13,000 00		\$165 32	13,165 32
	4	Mar. 21	4 %	Mar. 1	April 28	.0127166	41,000 00		521 38	41,521 38
	5	Mar. 21	4 %	Mar. 1	May 31	.0127166	38,000 00		483 23	38,483 23
	6	Mar. 21	4 %	Mar. 1	July 13	.0127166	2,000 00		25 43	2,025 43
	7	Mar. 21	4 %	Mar. 1	July 15	.0127166	43,000 00		546 82	43,546 82
	8	Mar. 21	4 %	Mar. 1	Aug. 1	.0127166	48,000 00		610 40	48,610 40
	9	Mar. 21	4 %	Mar. 1	Aug. 26	.0127166	45,000 00		572 25	45,572 25
	10	Mar. 21	4 %	Mar. 1	Oct. 6	.0127166	54,500 00		693 05	55,193 05
	11	Mar. 21	4 %	Mar. 1	Oct. 25	.0127166	44,000 00		559 53	44,559 53
	12	Mar. 21	4 %	Mar. 1	Nov. 26	.0127166	54,000 00		686 70	54,686 70
	13	Mar. 21	4 %	Mar. 1	Dec. 29	.0127166	80,000 00	\$476,500 00	1,017 33	\$482,381 44
11-A-2	*1	Mar. 1	4 %	1959.	Mar. 1	.....	\$1,300 00			\$1,300 00
	2	Mar. 21	4 %	Nov. 1	Mar. 25	.0127166	4,500 00			4,557 22
	3	Mar. 21	4 %	Mar. 1	Mar. 28	.0127166	71,000 00		\$57 22	71,902 89
	4	Mar. 21	4 %	Mar. 1	April 21	.0127166	42,000 00		534 10	42,534 10
	5	Mar. 21	4 %	Mar. 1	June 29	.0127166	43,000 00		546 82	43,546 82
	6	Mar. 21	4 %	Mar. 1	Aug. 26	.0127166	74,000 00		941 04	74,941 04
	7	Mar. 21	4 %	Mar. 1	Aug. 1	.0127166	72,000 00		915 60	72,915 60
	8	Mar. 21	4 %	Mar. 1	Oct. 6	.0127166	80,000 00		1,061 33	81,017 33
	9	Mar. 21	4 %	Mar. 1	Oct. 26	.0127166	83,500 00		1,017 84	84,561 84
	10	Mar. 21	4 %	Mar. 1	Nov. 29	.0127166	93,000 00		1,182 65	94,182 65
	11	Mar. 21	4 %	Mar. 1	Dec. 29	.0127166	83,000 00	647,300 00	1,055 48	855,514 97

BROOKLYN (FOURTH AVENUE) SUBWAY CONSTRUCTION FUNDS — Continued.

XXIII. CORPORATE STOCK.

Statement showing the issue of corporate stock of the City of New York from January 1, 1910, to December 31, 1910, the proceeds thereof to be applied to extra work done and materials furnished in the construction of the Brooklyn (Fourth Avenue) Subway.

SECTION	No.	Date of sale	Interest rate	Maturity	ISSUE OF STOCK							
					Date of issue	Rate of premium	Amount issued	Total	Amount of premium	Total	Amount of proceeds credited	Total
Entire route	{ *1 *2 *3	1910 Oct. 18 Oct. 26 Dec. 1	4% 4% 4%	1959 Nov. 1 Nov. 1 Nov. 1	1910 Oct. 29 Oct. 29 Dec. 2	..... ..... ..... .....	\$300 00 1,200 00 3,000 00	\$300 00 1,200 00 3,000 00				
Total amount of Corporate Stock issued.....								\$4,500 00				\$4,500 00
Total amount of premium on issue of Corporate Stock.....								\$4,500 00				
Total amount of proceeds applicable to extra work done and materials furnished in the construction of the Brooklyn (Fourth Avenue) Subway, from January 1, 1910, to December 31, 1910.....												\$4,500 00

* Issue of bonds sold at par value to the Commissioners of the Sinking Fund.

e. BROOKLYN (FOURTH AVENUE) SUBWAY CONSTRUCTION FUNDS—Continued.

XXIV. CORPORATE STOCK — Concluded.

Statement showing the issue of corporate stock of the City of New York from January 1, 1910, to December 31, 1910, the proceeds thereof to be applied to the acquirement of real estate and interest therein in the construction of the Brooklyn (Fourth Avenue) Subway.

SECTION	No.	Date of sale	Interest rate	Maturity	ISSUE OF STOCK						Total	Amount of proceeds credited	Total
					Date of issue	Rate of premium	Amount issued	Total	Amount of premium	Total			
Entire route	*1	1910, Mar. 12	4%	1959, Nov. 1, 1930 to 1960	1910, Mar. 12	.....	\$20,000 00		.....		\$20,000 00		
	2	Mar. 21	4 1/2%	Mar. 1	April 26	.0127166	100 00		\$1 27		101 27		
	3	Mar. 21	4 1/2%	Mar. 1	June 11	.0127166	400 00		5 09		405 09		
	*4	June 15	4%	1959, Nov. 1	June 17	.....	325 00		.....		325 00		
	*5	June 15	4%	Nov. 1	June 17	.....	1,147 10		.....		1,147 10		
	*6	Nov. 3	4%	Nov. 1	Nov. 7	.....	50 00		.....		50 00		
	*7	Nov. 3	4%	Nov. 1	Nov. 10	.....	200 00		.....		200 00		
	*8	Nov. 3	4%	Nov. 1	Nov. 18	.....	250 00		.....		250 00		
	*9	Nov. 16	4%	Nov. 1	Nov. 18	.....	250 00		.....		250 00		
	*10	Nov. 16	4%	Nov. 1	Nov. 29	.....	30 00		.....		30 00		
	*11	Dec. 1	4%	Nov. 1	Dec. 7	.....	500 00		.....		500 00		
	*12	Dec. 7	4%	Nov. 1	Dec. 9	.....	200 00		.....		200 00		
Total amount of corporate stock issued.....								\$23,452 10		\$6 36			\$23,458 46
Total amount of premium on issue of corporate stock.....								\$23,452 10		\$6 36			
Total amount of proceeds applicable to the acquirement of real estate and interest therein in the construction of the Brooklyn (Fourth Avenue) Subway, from January 1, 1910, to December 31, 1910.....													\$23,458 46

* Issue of bonds sold at par value to the Commissioners of the Sinking Fund.

BROOKLYN (FOURTH AVENUE) SUBWAY CONSTRUCTION FUNDS.

XXV. DISBURSEMENTS.

Statement showing the requisitions made upon the Public Service Commission for the First District, and the payments authorized under the direction of the Public Service Commission to be made to the various contractors, for work done and materials furnished under the provisions of the different contracts for the construction of the Brooklyn (Fourth Avenue) Subway, from January 1, 1910, to December 31, 1910.

SECTION.	Requisition No.	To date.	Payments authorized.	To whom.	Amount.	Total.
M-B-Ex.1	{ 1	1910. Mar. 31	As stated on page 326 of the minutes of the Public Service Commission (First District)	Smith, Scott & Co.	\$6,075 31	\$252,774 33
	{ 2	April 30	As stated on page 406 of said minutes.	Smith, Scott & Co.	54,065 43	
	{ 3	May 31	As stated on page 470 of said minutes.	Smith, Scott & Co.	36,448 02	
	{ 4	June 30	As stated on page 534 of said minutes.	Smith, Scott & Co.	30,579 65	
	{ 5	July 31	As stated on page 581 of said minutes.	Smith, Scott & Co.	10,535 95	
	{ 6	Aug. 31	As stated on page 627 of said minutes.	Smith, Scott & Co.	9,974 86	
	{ 7	Sept. 30	As stated on page 692 of said minutes.	Smith, Scott & Co.	18,617 68	
	{ 8	Oct. 31	As stated on page 757 of said minutes.	Smith, Scott & Co.	32,469 39	
	{ 9	Nov. 30	As stated on page 818 of said minutes.	Smith, Scott & Co.	48,008 04	
M-B-Ex.1 Pipe galleries	{ 1	July 31	As stated on page 581 of said minutes.	Smith, Scott & Co.	\$1,178 87	4,682 35
	{ 2	Aug. 31	As stated on page 627 of said minutes.	Smith, Scott & Co.	1,975 82	
	{ 3	Sept. 30	As stated on page 692 of said minutes.	Smith, Scott & Co.	1,527 66	
9-C-1	{ 1	1909. Nov. 30	As stated on page 5 of said minutes.	William Bradley	\$13,507 65	\$252,774 33
	{ 2	Dec. 31	As stated on page 91 of said minutes.	William Bradley	26,070 15	
	{ 3	Jan. 31	As stated on page 166 of said minutes.	William Bradley	18,933 07	
	{ 4	Feb. 28	As stated on page 247 of said minutes.	William Bradley	22,250 70	
	{ 5	Mar. 31	As stated on page 326 of said minutes.	William Bradley	48,338 55	
	{ 6	April 30	As stated on page 406 of said minutes.	William Bradley	41,532 52	
	{ 7	May 31	As stated on page 492 of said minutes.	William Bradley	28,898 94	
	{ 8	June 30	As stated on page 535 of said minutes.	William Bradley	47,269 08	
	{ 9	July 31	As stated on page 581 of said minutes.	William Bradley	44,894 68	
	{ 10	Aug. 31	As stated on page 634 of said minutes.	William Bradley	60,086 32	
	{ 11	Sept. 30	As stated on page 692 of said minutes.	William Bradley	79,100 50	
	{ 12	Oct. 31	As stated on page 749 of said minutes.	William Bradley	95,821 56	
	{ 13	Nov. 30	As stated on page 818 of said minutes.	William Bradley	79,404 83	
	{ 14	Dec. 31	As stated on page 818 of said minutes.	William Bradley	79,404 83	
	{ 15	1910. Jan. 31	As stated on page 818 of said minutes.	William Bradley	79,404 83	

617,408 55

11-E-1 and 11-A-1	1	1909 Dec. 31	Jan. 28	As stated on page 91 of said minutes.....	William Bradley.....	\$453 37
	2	1910 Jan. 31	Feb. 23	As stated on page 167 of said minutes.....	William Bradley.....	12,922 65
	3	Feb. 28	Mar. 22	As stated on page 248 of said minutes.....	William Bradley.....	13,428 67
	4	Mar. 31	Apr. 19	As stated on page 326 of said minutes.....	William Bradley.....	33,060 73
	5	Apr. 30	May 5	As stated on page 406 of said minutes.....	William Bradley.....	35,218 84
	6	May 31	July 19	As stated on page 503 of said minutes.....	William Bradley.....	42,988 62
	7	June 30	July 19	As stated on page 535 of said minutes.....	William Bradley.....	44,168 71
	8	July 31	Aug. 16	As stated on page 581 of said minutes.....	William Bradley.....	42,885 35
	9	Aug. 31	Sept. 23	As stated on page 634 of said minutes.....	William Bradley.....	54,732 13
	10	Sept. 30	Oct. 18	As stated on page 692 of said minutes.....	William Bradley.....	44,282 22
	11	Oct. 31	Nov. 15	As stated on page 749 of said minutes.....	William Bradley.....	54,501 52
	12	Nov. 30	Dec. 16	As stated on page 818 of said minutes.....	William Bradley.....	79,495 96
11-E-1 and 11-A-1 Pipe galleries	1	Mar. 31	April 19	As stated on page 327 of said minutes.....	William Bradley.....	\$7,432 40
	2	April 30	May 20	As stated on page 406 of said minutes.....	William Bradley.....	4,118 40
	3	May 31	June 28	As stated on page 492 of said minutes.....	William Bradley.....	2,179 12
	4	June 30	July 19	As stated on page 535 of said minutes.....	William Bradley.....	5,057 32
	5	July 31	Aug. 16	As stated on page 581 of said minutes.....	William Bradley.....	2,582 77
	1	Jan. 31	Feb. 11	As stated on page 133 of said minutes.....	E. E. Smith Contracting Co.....	\$1,269 00
	2	Feb. 28	Mar. 11	As stated on page 213 of said minutes.....	E. E. Smith Contracting Co.....	4,360 50
	3	Mar. 31	April 15	As stated on page 320 of said minutes.....	E. E. Smith Contracting Co.....	71,569 80
	4	April 31	May 13	As stated on page 381 of said minutes.....	E. E. Smith Contracting Co.....	42,012 00
	5	May 31	June 17	As stated on page 470 of said minutes.....	E. E. Smith Contracting Co.....	43,884 00
	6	June 30	July 19	As stated on page 535 of said minutes.....	E. E. Smith Contracting Co.....	74,371 32
	7	July 31	Aug. 16	As stated on page 580 of said minutes.....	E. E. Smith Contracting Co.....	72,812 16
11-A-2	8	Aug. 31	Sept. 20	As stated on page 627 of said minutes.....	E. E. Smith Contracting Co.....	81,738 54
	9	Sept. 30	Oct. 14	As stated on page 683 of said minutes.....	E. E. Smith Contracting Co.....	83,855 88
	10	Oct. 31	Nov. 18	As stated on page 757 of said minutes.....	E. E. Contracting Smith Co.....	94,561 65
	11	Nov. 30	Dec. 16	As stated on page 818 of said minutes.....	E. E. Smith Contracting Co.....	83,523 51
						\$458,138 77
						21,370 03
						653,958 36

BROOKLYN (FOURTH AVENUE) SUBWAY CONSTRUCTION FUNDS — *Continued.*
XXV. DISBURSEMENTS — *Continued.*

SECTION.	Requisition No.	To date.	Payments authorized.	To whom.	Amount.	Total.
11-A-3	1	1910. Feb. 28	As stated on page 284 of said minutes.	Tide Water Building Co. and Thos. B. Bryson...	\$0,755 40	\$705,462 97
	2	Mar. 31	As stated on page 327 of said minutes.	Tide Water Building Co. and Thos. B. Bryson...	20,587 80	
	3	April 30	As stated on page 406 of said minutes.	Tide Water Building Co. and Thos. B. Bryson...	45,207 09	
	4	May 31	As stated on page 470 of said minutes.	Tide Water Building Co. and Thos. B. Bryson...	61,858 62	
	5	June 30	As stated on page 535 of said minutes.	Tide Water Building Co. and Thos. B. Bryson...	96,490 80	
	6	July 31	As stated on page 580 of said minutes.	Tide Water Building Co. and Thos. B. Bryson...	80,329 14	
	7	Aug. 31	As stated on page 627 of said minutes.	Tide Water Building Co. and Thos. B. Bryson...	111,653 82	
	8	Sept. 30	As stated on page 683 of said minutes.	Tide Water Building Co. and Thos. B. Bryson...	99,629 73	
	9	Oct. 31	As stated on page 757 of said minutes.	Tide Water Building Co. and Thos. B. Bryson...	81,493 11	
	10	Nov. 30	As stated on page 818 of said minutes.	Tide Water Building Co. and Thos. B. Bryson...	95,457 46	
11-A-3 Pipe galleries	1	June 30	As stated on page 535 of said minutes.	Tide Water Building Co. and Thos. B. Bryson...	\$2,684 25	27,956 59
	2	July 31	As stated on page 580 of said minutes.	Tide Water Building Co. and Thos. B. Bryson...	6,756 75	
	3	Aug. 31	As stated on page 627 of said minutes.	Tide Water Building Co. and Thos. B. Bryson...	7,290 05	
	4	Sept. 30	As stated on page 684 of said minutes.	Tide Water Building Co. and Thos. B. Bryson...	2,486 65	
	5	Oct. 31	As stated on page 757 of said minutes.	Tide Water Building Co. and Thos. B. Bryson...	2,432 59	
	6	Nov. 30	As stated on page 819 of said minutes.	Tide Water Building Co. and Thos. B. Bryson...	6,306 30	

1	1909. Dec. 31	Jan. 28	As stated on page 91 of said minutes.....	E. E. Smith Contracting Co.....	\$2,578 50
2	1910. Jan. 31	Feb. 11	As stated on page 133 of said minutes.....	E. E. Smith Contracting Co.....	5,521 50
3	Feb. 28	Mar. 11	As stated on page 213 of said minutes.....	E. E. Smith Contracting Co.....	25,974 00
4	Mar. 31	April 15	As stated on page 320 of said minutes.....	E. E. Smith Contracting Co.....	77,529 60
5	April 30	May 13	As stated on page 381 of said minutes.....	E. E. Smith Contracting Co.....	56,106 00
6	May 31	June 17	As stated on page 470 of said minutes.....	E. E. Smith Contracting Co.....	71,413 20
7	June 30	July 19	As stated on page 535 of said minutes.....	E. E. Smith Contracting Co.....	82,812 60
8	July 31	Aug. 16	As stated on page 580 of said minutes.....	E. E. Smith Contracting Co.....	74,992 50
9	Aug. 31	Sept. 20	As stated on page 627 of said minutes.....	E. E. Smith Contracting Co.....	107,016 30
10	Sept. 30	Oct. 14	As stated on page 684 of said minutes.....	E. E. Smith Contracting Co.....	108,077 40
11	Oct. 31	Nov. 18	As stated on page 757 of said minutes.....	E. E. Smith Contracting Co.....	105,927 30
12	Nov. 30	Dec. 16	As stated on page 819 of said minutes.....	E. E. Smith Contracting Co.....	192,370 50
					\$910,319 40

11-A-4

Total amount paid to the various contractors for work done and materials furnished under the different contracts for the construction of the Brooklyn (Fourth Avenue) Subway, from January 1, 1910, to December 31, 1910.....

\$3,652,071 35

BROOKLYN (FOURTH AVENUE) SUBWAY CONSTRUCTION FUNDS — Continued.
DISBURSEMENTS — Continued.

XXVI. EXTRA WORK.

Statement showing the requisitions made upon the Public Service Commission for the First District, and the payments authorized under the direction of the Public Service Commission to be made to the various contractors for extra work done and materials furnished under the provisions of the different contracts and the agreements amendatory thereof and supplemental thereto, for the construction of the Brooklyn (Fourth Avenue) Subway, from January 1, 1910, to December 31, 1910.

SEC- TION	Requisition	To date	Payments authorized	To whom	Amount	Total
9-C-1	Underpinning buildings:	1910				
	10-A.....	Aug. 31	Sept. 23			
	11-A.....	Sept. 30	Oct. 18	William Bradley.....	\$3,024 00	
	12-A.....	Oct. 31	Nov. 15	William Bradley.....	1,325 70	
	13-A.....	Nov. 30	Dec. 16	William Bradley.....	3,120 30	
			As stated on page 634 of the minutes of the Public Service Commission (First District).....	William Bradley.....	2,880 00	\$10,350 00
			As stated on page 692 of said minutes.	William Bradley.....		
			As stated on page 749 of said minutes.	William Bradley.....		
			As stated on page 818 of said minutes.	William Bradley.....		
Total amount paid to the various contractors for extra work done and materials furnished under the different contracts and the agreements amendatory thereof and supplemental thereto, for the construction of the Brooklyn (Fourth Avenue) Subway, from January 1, 1910, to December 31, 1910.....						\$10,350 00

BROOKLYN (FOURTH AVENUE) SUBWAY CONSTRUCTION FUNDS —
Continued.

DISBURSEMENTS — *Continued.*

XXVII. REAL ESTATE.

Statement showing the requisitions made upon the Public Service Commission for the First District, New York, and the payments authorized under the direction of the Public Service Commission, to be made for real estate, acquired for and in behalf of the City of New York, under provision of the various contracts and the agreements amendatory thereof and supplemental thereto, for the construction of the Brooklyn (Fourth Avenue) Subway, from January 1, 1910, to December 31, 1910.

DISBURSEMENTS	Amount	Total
ADVERTISING		
Advertising notices in the matter of the application and petition of the Public Service Commission for the First District, New York, for the appointment of commissioners of appraisal by the Appellate Division of the Supreme Court, Second Judicial District, relative to lands, viz.:		
Estate in fee and easements — Acquiring the fee of certain easements, and also permanent and temporary easements in certain other premises on Flatbush avenue extension, Fulton street, Ashland place and Lafayette avenue, in the Borough of Brooklyn, New York City (sections M-B-Ex. 1, 9-C-1, and 11-E-1 and 11-A-1).....	\$1,811 20	
Easements — Acquiring permanent and temporary easements in certain premises on Flatbush avenue extension, Fulton street, Hudson avenue, and Rockwell place, in the Borough of Brooklyn, New York City (Section 9-C-1).....	668 80	
Advertising notices to contractors for the sale and wrecking of buildings acquired, viz.:		
Estate in fee and easements — Buildings on Fulton street, Ashland place, Lafayette avenue, Hanson place and Flatbush avenue, in the Borough of Brooklyn, New York City (Sections M-B-Ex. 1, 9-C-1, and 11-E-1 and 11-A-1).....	33 28	
Easements — Buildings on Flatbush avenue extension, Fulton street, Hudson avenue, and Rockwell place, in the Borough of Brooklyn, New York City (Section 9-C-1).....	236 45	\$2,749 73
SPECIAL SERVICE		
Estate in fee and easements — Compensation to realty expert in appraising the fee and easement values of property affected by the construction of the Fourth Avenue Subway in the Borough of Brooklyn, New York City, in connection with negotiations for the purchase of the same (Sections M-B-Ex. 1, 9-C-1, and 11-E-1 and 11-A-1).....	\$1,750 00	
Estate in fee and easements — Making surveys of various properties to be acquired along the route of the Fourth Avenue Subway in the Borough of Brooklyn, New York City (Sections M-B-Ex. 1, 9-C-1, and 11-E-1 and 11-A-1).....	697 10	2,447 10
REAL ESTATE		
Estate in fee — Land with buildings thereon situated on the southerly side of Nassau street, between Jay street and Flatbush avenue extension, in the Borough of Brooklyn, New York City (Section M-B-Ex. 1).....	\$20,000 00	
Examination of title to the above and issuing title policy No. 47,375 on the same.....	73 07	
*Leasehold interest — Conveyance and release to the City of New York of the spur connection with the approaches thereto, constructed as a part of the Brooklyn-Manhattan Rapid Transit Railroad, under Flatbush avenue, between Schermerhorn street, and Fourth avenue, in the Borough of Brooklyn, New York City (Section 11-E-1 and 11-A-1).....	200,000 00	220,073 07
Total amount paid for real estate acquired under provision of the various contracts and the agreements amendatory thereof and supplemental thereto, for the construction of the Brooklyn (Fourth Avenue) Subway, from January 1, 1910, to December 31, 1910.....		\$225,269 90

* The conveyance and release to the City of New York by the Interborough Rapid Transit Company et al. of the spur connection for the consideration of \$200,000.00 held in abeyance to December 31, 1910, by the City Comptroller.

**BROOKLYN (FOURTH AVENUE) SUBWAY CONSTRUCTION FUNDS —
Concluded.**

DISBURSEMENTS — Concluded.

XXVIII. INTEREST ON CORPORATE STOCK.

Statement showing the payments made under the direction of the City Comptroller, for interest due on corporate stock issued by the City of New York, for the construction of the Brooklyn (Fourth Avenue) Subway, from October 29, 1909, to December 31, 1910.

FOR WHAT.	No.	Due.	Amount.	Total.
* The payment of interest due on the corporate stock issued by the City of New York for the construction of the Brooklyn (Fourth Avenue) Subway.....	{ 1 May 1, 1910 { 2 Sept. 1, 1910 { 3 Nov. 1, 1910 { 		\$686 28 24,650 37 2,079 77	\$27,416 42
Total amount in interest paid on the corporate stock issued by the City of New York for the construction of the Brooklyn (Fourth Avenue) Subway, from October 29, 1909, to December 31, 1910.....	.....	.....	.....	\$27,416 42

* Charged to "Interest on City Debt" account, City Comptroller's Office. Not applied to the Brooklyn (Fourth Avenue) Subway construction funds account.

a. GENERAL FUND.

XXIX. BALANCES.

Statement showing the balance of the General Fund December 31, 1910.

Year	Appropriations	DISBURSEMENTS			Excess disbursements chargeable to the current issue of special revenue bonds	Surplus applicable with the current appropriation
		Excess disbursements to Dec. 31, 1909.	Total disbursements from Jan. 1, 1910, to Dec. 31, 1910			
1909	.....					
1910	\$1,226,510 39	\$8,396 03	.....		\$8,396 03	.....
1910	.....	.....	.....		.....	.....
1910	.....	.....	.....		.....	.....
1910	\$1,226,510 39		\$1,208,010 57			\$18,499 82
			8,396 03			.....
			10,103 79		10,103 79	.....
			\$1,226,510 39		\$18,499 82	\$18,499 82

*Special Revenue Bonds amounting to \$120,011.39 of the appropriation authorized by the Board of Estimate and Apportionment on October 29, 1909, remaining unissued on December 31, 1909, applicable for the purposes of the Commission.

† Special Revenue Bonds amounting to \$6,775.00 of the appropriation for diamond drill borings authorized on April 1, 1910, and the sum of \$70,000.00 authorized on January 5, 1911, (aggregating \$76,775.00) by the Board of Estimate and Apportionment, remaining unissued on December 31, 1910, also available for the purposes of the Commission.

‡ Includes the sum of \$13,225.00 specifically appropriated for diamond drill borings.

§ Includes the sum of \$13,213.72 expended for diamond drill borings.

b. MANHATTAN-THE BRONX CONSTRUCTION FUND.

XXIX. BALANCES — Continued.

Statement showing the balance of the Manhattan-The Bronx Construction Fund, December 31, 1910.

Year	Amount of proceeds of corporate stock issued		DISBURSEMENTS		Excess dis- bursements chargeable to the current stock issue	Surplus applicable with the proceeds of the current stock issue
			Excess disburse- ments to Dec. 31, 1909	Total disbursements from Jan. 1, 1909, to Dec. 31, 1910		
1909	.....	EXCESS DISBURSEMENTS TO DECEMBER 31, 1909 Excess disbursements of the Manhattan-The Bronx Construction Fund, December 31, 1909, chargeable to the proceeds of the current issue of corporate stock.....	\$31,726 27	.....	\$31,726 27	.....
1910	\$1,116,479 17	CORPORATE STOCK TO DECEMBER 31, 1910 Amount of proceeds of corporate stock issued by the City of New York for the construction and operation of the Manhattan-The Bronx Rapid Transit Railroad, from January 1, 1910, to December 31, 1910.....	.....	.....	.....	.....
1910	.....	DISBURSEMENTS JANUARY 1, 1910, TO DECEMBER 31, 1910 Disbursements, viz.: Manhattan-The Bronx Rapid Transit Railroad: For extra work done and materials furnished.. \$1,233,033 27 For real estate..... 3,716 04 Total excess disbursements to December 31, 1909.....	.....	\$1,236,749 31 31,726 27	120,270 14 .....	.....
1910	151,996 41	EXCESS DISBURSEMENTS DECEMBER 31, 1910 Excess disbursements of the Manhattan-The Bronx Construction Fund, December 31, 1910, chargeable to the proceeds of the current issue of corporate stock.....	.....	.....	.....	\$151,996 41
	\$1,268,475 58			\$1,268,475 58	\$151,996 41	\$151,996 41

C. BROOKLYN-MANHATTAN CONSTRUCTION FUND.

XXIX. BALANCES — *Continued.*

Statement showing the balance of the Brooklyn-Manhattan Construction Fund, December 31, 1910.

Year	Amount of proceeds of corporate stock issued		DISBURSEMENTS		Excess disbursements chargeable to the current stock issue	Surplus applicable with the proceeds of the current stock issue
			Excess disbursements to Dec. 31, 1909	Total disbursements from Jan. 1, 1909, to Dec. 31, 1910		
1909		EXCESS DISBURSEMENTS TO DECEMBER 31, 1909 Excess disbursements of the Brooklyn-Manhattan Construction Fund December 31, 1909, chargeable to the proceeds of the current issue of corporate stock.....	\$209,562 31		\$209,562 31	
1910	\$225,430 76	CORPORATE STOCK TO DECEMBER 31, 1910 Amount of proceeds of corporate stock issued by the City of New York for the construction and operation of the Brooklyn-Manhattan Rapid Transit Railroad, from January 1, 1910, to December 31, 1910.....				
1910		DISBURSEMENTS JANUARY 1, 1910, TO DECEMBER 31, 1910 Disbursements, viz.: Brooklyn-Manhattan Rapid Transit Railroad: For extra work done and materials furnished.... \$295,168 45 For real estate..... 750 00 Total excess disbursements to December 31, 1909.....		\$295,918 45 209,562 31	70,487 69	
1910	280,050 00	EXCESS DISBURSEMENTS DECEMBER 31, 1910 Excess disbursements of the Brooklyn-Manhattan Construction Fund, December 31, 1910, chargeable to the proceeds of the current issue of corporate stock.....				\$280,050 00
	\$505,480 76			\$505,480 76	\$280,050 00	\$280,050 00

1910	321,836 84	Amount of proceeds of the corporate stock issued from January 1, 1910, to December 31, 1910.....	.....	.....	.....
1910	.....	Construction — From January 1, 1910, to December 31, 1910, viz.:.....	.....	.....	.....
		For work done and materials furnished.....\$230,562 12			
		For extra work done and materials furnished.....95,446 77			
		.....	\$4,172 05	\$326,008 89	.....
					
					
1909	.....	Section 9-O-4 New extension of Delancey street, from Centre street to the Bowery, Borough of Manhattan, New York City.	.....	.....	.....
		Excess disbursements of Section 9-O-4 of the Brooklyn-Manhattan Loop Lines (Manhattan Sections) to December 31, 1909, chargeable to the proceeds of the current issue of corporate stock.....	\$29,084 68	29,084 68	.....
1910	312,267 34	Amount of proceeds of the corporate stock issued from January 1, 1910, to December 31, 1910.....	.....	.....	.....
1910	.....	Construction — From January 1, 1910, to December 31, 1910, viz.:.....	.....	.....	.....
		For work done and materials furnished.....\$181,396 96			
		For pipe galleries.....9,660 66			
		For extra work done and materials furnished.....92,099 62			
		.....	283,157 24	.....	\$29,110 10
		Section 9-O-5 Delancey street, between the Bowery and Norfolk street, Borough of Manhattan, New York City.	.....	.....	.....
1909	4,023 46	Unexpended balance December 31, 1909.....	.....	.....	.....
1910	.....	Amount of proceeds of the corporate stock issued from January 1, 1910, to December 31, 1910.....	.....	.....	.....
1910	.....	Construction — From January 1, 1910, to December 31, 1910, viz.:.....	.....	.....	.....
		For pipe galleries.....\$231 66			
		For extra work done and materials furnished.....534 55			
		.....	766 21	766 21	.....
					
1909	.....	REAL ESTATE Sections 9-O-1, 9-O-2, 9-O-3, 9-O-4, and 9-O-5 (entire route). Excess disbursements for real estate and interest therein in Sections 9-O-1, 9-O-2, 9-O-3, 9-O-4, and 9-O-5 of the Brooklyn-Manhattan Loop Lines (Manhattan Sections) to December 31, 1909, chargeable to the proceeds of the current issue of corporate stock.....	152,911 48	.....	.....
1910	23,506 81	Amount of proceeds of the corporate stock issued from January 1, 1910, to December 31, 1910.....	.....	.....	.....
1910	.....	For real estate — From January 1, 1910, to December 31, 1910.....	.....	26,161 85	2,655 04

d. BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS) CONSTRUCTION FUNDS — *Concluded.*
 XXIX. BALANCES — *Continued.*

Year	Amount of proceeds of corporate stock issued		DISBURSEMENTS		Excess disbursements chargeable to the current stock issue	Surplus applicable with the proceeds of the current stock issue
			Excess disbursements to Dec. 31, 1909	Disbursements from Jan. 1, 1910, to Dec. 31, 1910		
		MAINTENANCE				
		Sections 9-O-1, 9-O-2, 9-O-3, 9-O-4 and 9-O-5 (entire route).				
1910	\$900 00	Amount of proceeds of the corporate stock issued from January 1, 1910, to December 31, 1910.		\$857 68		\$42 32
1910		For maintenance — From January 1, 1910, to December 31, 1910.				
		Total excess disbursements to December 31, 1909.		181,996 16		
		EXCESS DISBURSEMENTS, DECEMBER 31, 1910				
1910	148,201 63	Excess disbursements of the Brooklyn-Manhattan Loop Lines (Manhattan Sections) construction funds, December 31, 1910, chargeable to the proceeds of the current issue of corporate stock.				148,201 63
	\$1,294,652 59			\$1,294,652 59	\$197,295 91	\$197,295 91

e. BROOKLYN (FOURTH AVENUE) SUBWAY CONSTRUCTION FUNDS.

XXIX. BALANCES — Continued.

Statement showing the balances of the Brooklyn (Fourth Avenue) Subway Construction Funds, December 31, 1910.

Year	Amount of proceeds of corporate stock issued		Disbursements from January 1, 1910, to December 31, 1910	Excess disbursements chargeable to the current stock issue	Surplus applicable with the proceeds of the current stock issue
1910	\$258,242 74	Amount of the proceeds of the Corporate Stock issued by the City of New York, and the disbursements made pursuant to the various contracts for the construction of the Brooklyn (Fourth Avenue) Subway from January 1, 1910, to December 31, 1910: Section M-B-Ex. 1 Flatbush avenue extension from Nassau street to Willoughby street, Borough of Brooklyn, New York City. Amount of the proceeds of the Corporate Stock issued: Disbursements — For work done and materials furnished.....\$252,774 33 For pipe galleries.....4,682 35	\$257,456 68	.....	\$786 06
1910	542,059 49	Section 9-C-1 Flatbush avenue extension and Fulton street from Willoughby street to Ashland Place, Borough of Brooklyn, New York City. Amount of the proceeds of the Corporate Stock issued: Disbursements — For work done and materials furnished.....	617,408 55	\$75,349 06	.....
1910	482,381 44	Section 11-E-1 and 11-A-1 Ashland place and Fourth avenue from Fulton street to Sackett street, Borough of Brooklyn, New York City. Amount of the proceeds of the Corporate Stock issued: Disbursements — For work done and materials furnished.....\$458,138 77 For pipe galleries.....21,370 03	479,508 80	.....	2,872 64
1910	655,514 97	Section 11-A-2 Fourth avenue from Sackett street to Tenth street, Borough of Brooklyn, New York City. Amount of the proceeds of the Corporate Stock issued: Disbursements — For work done and materials furnished.....	653,958 36	.....	1,556 61

e. BROOKLYN (FOURTH AVENUE) SUBWAY CONSTRUCTION FUNDS — *Concluded.*XXIX. BALANCES — *Continued.*

Year	Amount of proceeds of corporate stock issued		Disbursements from January 1, 1910, to December 31, 1910	Excess disbursements chargeable to the current stock issue	Surplus applicable with the proceeds of the current stock issue
		Section 11-A-3 Fourth avenue from Tenth street to Twenty-seventh street, Borough of Brooklyn, New York City.			
1910	\$735,738 67	Amount of the proceeds of the Corporate Stock issued: Disbursements — For work done and materials furnished.....\$705,462 97 For pipe galleries.....27,956 59	\$733,419 56	.....	\$2,319 11
		Section 11-A-4 Fourth avenue from Twenty-seventh street to Forty-second street, Borough of Brooklyn, New York City.			
1910	912,962 33	Amount of the proceeds of the Corporate Stock issued: Disbursements — For work done and materials furnished.....	910,319 40	.....	2,642 93
		EXTRA WORK Sections M-B-Ex. 1, 9-C-1, 11-E-1 and 11-A-1, 11-A-2, 11-A-3, 11-A-4 (entire route). Amount of the proceeds of the Corporate Stock issued: Disbursements — For extra work done and materials furnished.....	10,350 00	\$5,850 00	.....
1910	4,500 00				
		REAL ESTATE Sections M-B-Ex. 1, 9-C-1, 11-E-1 and 11-A-1, 11-A-2, 11-A-3, 11-A-4 (entire route). Amount of the proceeds of the Corporate Stock issued: Disbursements — For Real Estate and interest therein.....	225,269 90	201,811 44	.....
1910	23,458 46				
		EXCESS DISBURSEMENTS DECEMBER 31, 1910 Excess disbursements of the Brooklyn (Fourth Avenue) Subway Construction Funds, December 31, 1910, chargeable to the proceeds of the current issue of Corporate Stock.....	.....	.....	272,833 15
1910	272,833 15				
	\$3,887,691 25		\$3,887,691 25	\$283,010 50	\$283,010 50

f. SPECIAL ACCOUNT.

XXIX. BALANCES — *Concluded.*

Statement of the proceeds of the sale of property, and the rentals for leases of property acquired for Rapid Transit purposes, upon deposit with the Chamberlain of the City of New York, and available for the purchase of other property under the direction of the Public Service Commission for the First District, New York.

	Brooklyn Loop Lines (Manhattan Sections)	Brooklyn (Fourth Avenue) Subway
Proceeds of the sale May 24, 1910, of property, viz.:		
Southeast corner of Centre street and Walker street.....	\$529,989 11	
*Centre street between White street and Walker street.....		
†Northeast corner of Canal street and Centre street acquired in the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections).....		
Proceeds of the sale October 17, 1910, of property, viz.:		
‡Nos. 168-170-170½ Bowery.....	81,150 00	
§Nos. 174-176 Bowery acquired in the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections).....		
Rentals collected to December 31, 1910, by the City Comptroller, from the use of certain property acquired in the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections)....	10,193 80	
Proceeds of the sale October 10, 1910, of old buildings acquired in the construction of the Brooklyn (Fourth Avenue) Subway, viz.:		
East side of Flatbush avenue extension between Fulton street and DeKalb avenue.....		\$8,835 00
Nos. 607-611 Fulton street.....		
Nos. 613-619 Fulton street.....		
Nos. 493-495 Hudson avenue and Nos. 625-627 Fulton street...		
No. 629 Fulton street.....		
Nos. 631-637 Fulton street.....		
Nos. 639-645 Fulton street and No. 54 Rockwell place.....		
Nos. 647-649 Fulton street.....		
Nos. 580-586 Fulton street.....		
Nos. 588-592 Fulton street.....		
Nos. 594-598 Fulton street.....		
Proceeds of the sale December 3, 1910, of old buildings acquired in the construction of the Brooklyn (Fourth Avenue) Subway, viz.:		
Nos. 600-602 Fulton street.....		6,706 60
Nos. 74-80 Ashland place.....		
Nos. 82-88 Ashland place.....		
Nos. 18-20 and 19-21 Lafayette avenue.....		
Nos. 110-126 Ashland place.....		
Nos. 128-136 Ashland place.....		
Nos. 138-142 Ashland place and Nos. 113-115 Flatbush avenue		
Northeast corner of Ashland place and Hanson place.....		
Total for account of the Brooklyn-Manhattan Loop Lines (Manhattan Sections).....	\$621,332 91	
Total for account of the Brooklyn (Fourth Avenue) Sub- way.....		\$15,541 60

* Amount of \$5,000.00 remaining on deposit with the Title Guarantee and Trust Co. as security for the cancellation of unpaid taxes.

† Amount of \$726.33 remaining on deposit with the Title Guarantee and Trust Co. as security for the cancellation of unpaid taxes.

‡ Amount of \$600.00 remaining on deposit with the Title Insurance Co. of New York as security for the cancellation of unpaid taxes.

§ Amount of \$1,250.00 remaining on deposit with the Title Guarantee and Trust Co. as security for the cancellation of unpaid taxes.

a. MANHATTAN-THE BRONX CONTRACT.

XXX. SECURITY.

Statement of the security deposited by John B. McDonald, Contractor, and Interborough Rapid Transit Company, under provision of the contract of February 21, 1900, and the agreements amendatory thereof and supplemental thereto, for the construction, maintenance and operation of the Manhattan-The Bronx Rapid Transit Railroad, remaining in the custody of the City of New York, December 31, 1910.

Bond — For construction and equipment, deposited with the City
Comptroller, February 21, 1900..... \$5,000,000

SURETIES.

The Rapid Transit Sub-
way Construction Com-
pany of New York,
\$4,000,000.

The United States Fidelity
and Guaranty Company
of Maryland,
\$250,000.

The Empire State Sure-
ty Company of New
York,
\$250,000.

The American Surety Com-
pany of New York,
\$250,000.

The National Surety Com-
pany of New York,
\$250,000.

Bond — (continuing). For rental and also for construction deposited
(substituted) with the City Comptroller, January 14, 1904..... \$1,000,000

SURETIES.

Fidelity and Deposit Com-
pany of Maryland,
\$500,000.

United States Fidelity
and Guaranty Com-
pany of Maryland.
\$500,000.

Bonds of the sub-contractors for construction, assigned to the City of
New York as additional security by John B. McDonald, Contractor,
and deposited with the Rapid Transit Board, aggregating..... \$2,878,250

CITY LIEN ON EQUIPMENT.

“ The City shall also have a first lien upon the equipment of the Railroad, as further security for the faithful performance by the Contractor of the covenants, conditions and agreements of the contract of February 21, 1900, and the agreements amendatory thereof and supplemental thereto. Such lien shall arise immediately upon the acquisition by the Contractor of any part of the Equipment for use on or in connection with the said Railroad or any part of it, or intended for such use, whether or not such equipment be set up or delivered upon or at the railway.”

b. BROOKLYN-MANHATTAN CONTRACT.

SECURITY.

Statement of the security deposited by Rapid Transit Subway Construction Company, Contractor, under provision of the contract of July 21, 1902, and the agreements amendatory thereof and supplemental thereto, for the construction, maintenance and operation of the Brooklyn-Manhattan Rapid Transit Railroad, remaining in the custody of the City of New York, December 31, 1910.

Amount in cash — For construction pursuant to the contract, remaining of the sum deposited with the City Chamberlain September 11, 1902, as modified September 22, 1908.....	\$150,000
Bond — (continuing). For rental and also for construction deposited (substituted) with the City Comptroller February 10, 1905.....	\$1,000,000

SURETIES.

United States Fidelity and Guaranty Company of Maryland, \$250,000.	Fidelity and Deposit Company of Maryland, \$250,000.	The National Surety Company of New York, \$250,000.
The Aetna Indemnity Company of Connecticut, \$100,000.	The Empire State Surety Company of New York, \$150,000.	

Bond of the sub-contractors for construction, assigned to the City of New York as additional security by Rapid Transit Subway Construction Company, Contractor, and deposited with the Rapid Transit Board, aggregating.....	\$650,000
--	-----------

CITY LIEN ON EQUIPMENT.

"The City shall also have a first lien upon the equipment of the Railroad as further security for the faithful performance by the Contractor of the covenants, conditions and agreements of the contract of July 21, 1902, and the agreements amendatory thereof and supplemental thereto. Such lien shall arise immediately upon the acquisition by the Contractor of any part of the equipment for use on or in connection with the said railroad or any part of it, or intended for such use, whether or not such equipment be set up or delivered upon or at the railway."

c. BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS)
CONTRACTS.

SECURITY.

Statement of the security deposited under the provisions of the various contracts for the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections) remaining in the custody of the City of New York, December 31, 1910.

Section 9-O-1 Centre street from Pearl street to Park Row.

Bradley Contracting Company, Contractor.

Bond — For construction, deposited with the City Comptroller.....	\$160,000
---	-----------

SURETIES.

Title Guaranty and
Surety Company of
Scranton, Pennsylvania,
\$55,000.

Empire State Surety Com-
pany of New York,
\$55,000.

People's Surety Company,
New York,
\$50,000.

Section 9-0-2 Centre street from Pearl street to Canal street.

The Degnon Contracting Company, Contractor.

Bond — For construction, deposited with the City Comptroller..... \$300,000

SURETIES.

Bankers' Surety Com-
pany, Cleveland, Ohio,
\$55,000.

United Surety Company,
Baltimore, Maryland,
\$60,000.

People's Surety Com-
pany, New York,
\$50,000.

Aetna Indemnity Company,
Hartford, Conn.,
\$60,000.

Title Guaranty and Surety
Company Scranton, Pa.,
\$75,000.

Section 9-0-3 Centre street from Canal street to Broome street.

Cranford Company, Contractor.

Bond — For construction, deposited with the City Comptroller..... \$150,000

SURETIES.

Empire State Surety
Company of New York,
\$50,000.

Title Guaranty and Sure-
ty Company, Scranton, Pa.,
\$50,000.

People's Surety Com-
pany, New York,
\$50,000.

Section 9-0-4 new extension of Delancey street from Centre street to the Bowery.

Bradley Contracting Company, Contractor.

Bond — For construction, deposited with the City Comptroller..... \$150,000

SURETIES.

Title Guaranty and
Surety Company of
Scranton, Pa.,
\$50,000.

Empire State Surety Com-
pany of New York,
\$50,000.

People's Surety Com-
pany, New York,
\$50,000.

Section 9-0-5 Delancey street between the Bowery and Norfolk street.

Bradley Contracting Company, Contractor.

Bond — For construction, deposited with the City Comptroller..... \$180,000

SURETIES.

Title Guaranty and
Surety Company of
Scranton, Pa.,
\$65,000.

Empire State Surety Com-
pany of New York,
\$65,000.

People's Surety Com-
pany, New York,
\$50,000.

d. BROOKLYN (FOURTH AVENUE) CONTRACTS.

SECURITY.

Statement of the security deposited under the provisions of the various contracts for the construction of the Brooklyn (Fourth Avenue) Subway remaining in the custody of the City of New York, December 31, 1910.

Section M-B-Ex. 1, Nassau street to Willoughby street.

Smith, Scott & Company, Contractor.

Bond — For construction, deposited with the City Comptroller..... \$150,000

SURETIES.

Massachusetts Bonding
and Insurance Company,
Boston, Mass.,
\$50,000.

Fidelity and Deposit Com-
pany of Maryland,
\$50,000.

United States Fidelity
and Guaranty Company
of Maryland,
\$50,000.

Section 9-C-1, Willoughby street to Ashland place.

William Bradley, Contractor.

Bond — For construction, deposited with the City Comptroller..... \$200,000

SURETIES.

The Title Guaranty
and Surety Company,
Scranton, Pa.,
\$100,000.

The Empire State Surety
Company of New York,
\$50,000.

People's Surety Com-
pany of New York,
\$25,000.

Massachusetts Bonding and
Insurance Company, Bos-
ton, Mass.,
\$25,000.

Section 11-B-1 and 11-A-1, Ashland place to Sackett street.

William Bradley, Contractor.

Bond — For construction, deposited with the City Comptroller..... \$200,000

SURETIES.

The Title Guaranty
and Surety Company,
Scranton, Pa.,
\$100,000.

The Empire State
Surety Company of
New York,
\$50,000.

People's Surety Com-
pany of New York,
\$25,000.

Massachusetts Bonding and
Insurance Company, Bos-
ton, Mass.
\$25,000.

Section 11-A-2, Sackett street to Tenth street.

E. E. Smith Contracting Company, Contractor.

Bond — For construction, deposited with the City Comptroller..... \$150,000

SURETIES.

Fidelity and Deposit Com-
pany of Maryland,
\$75,000.

American Surety Com-
pany of New York,
\$75,000.

XXXI. RAPID TRANSIT RAILROAD RENTAL.

a. MANHATTAN-THE BRONX.

Statement showing the payments made under the direction of the City Comptroller for interest due on the corporate stock issued by the City of New York for the construction and operation of the Manhattan-The Bronx Rapid Transit Railroad, and the rental received by the City Comptroller from the Interborough Rapid Transit Company under a lease by the City of New York of the Manhattan-The Bronx Rapid Transit Railroad constructed under the contract with John B. McDonald, Contractor, dated February 21, 1900, and the agreements amendatory thereof and supplemental thereto assigned to the Interborough Rapid Transit Company, from January 1, 1910, to December 31, 1910.

Due	Date received	RENTAL				INTEREST ON CORPORATE STOCK				
		From	Payments to the sinking fund	For interest on corporate stock	Total	No.	For what	Due	Amount	Total
		Amount in rental received by the City Comptroller from Interborough Rapid Transit Company to December 31, 1909..	\$2,121,865 97	\$7,093,530 98	\$9,215,396 95	20	Amount in interest paid by the City Comptroller to December 31, 1909.....	1910	.....	\$7,093,848 64
1910	1910						The payments of interest due on the corporate stock issued by the City of New York for the construction and operation of the Manhattan-The Bronx Rapid Transit Railroad.....	May 1	\$779,557 69	
Jan. 1	Jan. 31	Interborough Rapid Transit Company....	.....	\$389,383 84		21		Sept. 1	5,546 95	
Apr. 1	Apr. 30	Interborough Rapid Transit Company....	.....	390,411 99						
July 1	July 30	Interborough Rapid Transit Company....	.....	392,635 52		22		Nov. 1	781,066 59	

Oct. 1	Interborough Rapid Transit Company.	.....	\$396,532 51	Amount in interest paid by the City Comptroller on the corporate stock issued by the City of New York for the construction and operation of the Manhattan-Bronx Rapid Transit Railroad to December 31, 1910	\$1,566,171 23
Nov. 1	Interborough Rapid Transit Company.	\$452,284 04	.....		\$8,680,019 87
Dec. 31	Interborough Rapid Transit Company.	.....	.....		
	Total amounts in rental received by the City Comptroller from Interborough Rapid Transit Company under a lease by the City of New York of the Manhattan-Bronx Rapid Transit Railroad to December 31, 1910 . .	\$452,284 04	\$1,568,963 86		
			\$2,021,247 90		
			\$11,236,644 85		

XXXI. RAPID TRANSIT RAILROAD RENTAL — *Continued.*

b. BROOKLYN-MANHATTAN.

Statement showing the payments made under the direction of the City Comptroller for interest due on the corporate stock issued by the City of New York for the construction and operation of the Brooklyn-Manhattan Rapid Transit Railroad, and the rental received by the City Comptroller from Interborough Rapid Transit Company under a lease by the City of New York of the Brooklyn-Manhattan Rapid Transit Railroad constructed under the contract with Rapid Transit Subway Construction Company, Contractor, dated July 21, 1902, and the agreements amendatory thereof and supplemental thereto assigned to the Interborough Rapid Transit Company, from January 1, 1910, to December 31, 1910.

Due	Date received	RENTAL			Total	INTEREST ON CORPORATE STOCK				
		From	Payments to the sinking fund	For interest on corporate stock		No.	For what	Due	Amount	Total
		Amount in rental received by the City Comptroller from Interborough Rapid Transit Company to December 31, 1909...	\$82,865 40	\$257,518 07	\$340,383 47	14	Amount in interest paid by the City Comptroller to December 31, 1909.....	1910 May 1	\$69,871 75	\$138,659 95
1910 Jan. 1	1910 Jan. 31	Interborough Rapid Transit Company...	.....	\$34,935 88		15	The payments of interest due on the corporate stock issued by the City of New York for the construction and operation of the Brooklyn-Manhattan Rapid Transit Railroad.....	Sept. 1	1,189 84	
Apr. 1	Apr. 30	Interborough Rapid Transit Company...	.....	34,935 88		16		Nov. 1	69,871 75	
July 1	July 30	Interborough Rapid Transit Company...	.....	35,330 06						
Oct. 1	Nov. 1	Interborough Rapid Transit Company...	.....	35,330 06						
		Interborough Rapid Transit Company...	.....	36,727 25						

XXXII. TRUST FUNDS ACCOUNTS.

Statement relative to funds collected by the Public Service Commission for the First District, New York, and paid into the City Treasury to the credit of the General Fund.

a. MISCELLANEOUS SUPPLIES ACCOUNT.

January 1, 1910, to December 31, 1910 — Total proceeds of the sales of contracts, drawings, reports, and records, etc., of the Public Service Commission for the First District. . . . \$4,726 40

b. GAS METER ACCOUNT.

January 1, 1910, to December 31, 1910 — Net amount collected from various complainants for fees charged for the testing of gas meters by the Public Service Commission for the First District. . . . \$1,159 75
 January 1, 1910, to December 31, 1910 — Total amount collected from the various gas companies in payment for tests of gas meters by the Public Service Commission for the First District. . . . 1,001 00
 2,160 75

c. ELECTRIC METER ACCOUNT.

January 1, 1910, to December 31, 1910 — Net amount collected from various complainants for fees charged for the testing of electric meters by the Public Service Commission for the First District. . . . \$1,340 50
 January 1, 1910, to December 31, 1910 — Total amount collected from the various electric companies in payment for tests of electric meters by the Public Service Commission for the First District. . . . 109 00
 1,449 50.

d. OFFICIAL FEES ACCOUNT.

January 1, 1910, to December 31, 1910 — Total amount collected in payment of subpoena and witness fees in various litigations. . . . 34 10
 Total amount paid into the City Treasury to the credit of the General Fund from January 1, 1910, to December 31, 1910. . . . \$8,370 75

XXXIII. RECAPITULATION.

a. GENERAL FUND, 1894-1907.

REQUISITIONS AND APPROPRIATIONS.

Total amount of requisitions made upon the Board of Estimate and Apportionment, viz.:		Total amount of appropriations made by the Board of Estimate and Apportionment, viz.:	
For the requirements of the Board of Rapid Transit Railroad Commissioners during the period of:		For the requirements of the Board of Rapid Transit Railroad Commissioners during the period of:	
1894. Amount of requisitions.....	\$5,000 00	1894. Amount of appropriations.....	\$5,000 00
1895. Amount of requisitions.....	\$89,434 75	1895. Amount of appropriations.....	53,795 88
Aggregate appropriation made by the Board of Estimate and Apportionment in excess of the amount of the original requisitions.....	1,816 31		
1896. Amount of requisitions.....	91,251 06	1896. Amount of appropriations.....	102,135 60
1897. Amount of requisitions.....	66,947 93	1897. Amount of appropriations.....	66,009 59
Aggregate appropriation made by the Board of Estimate and Apportionment reduced to suffice the purposes of the original requisitions.....	14,433 04		
1898. Amount of requisitions.....	\$42,943 37	1898. Amount of appropriations.....	53,380 91
Aggregate appropriation made by the Board of Estimate and Apportionment reduced to suffice the purposes of the original requisitions.....	5,869 55		
1899. Amount of requisitions.....	37,073 82	1899. Amount of appropriations.....	27,625 33
1900. Amount of requisitions.....	27,625 33	1900. Amount of appropriations.....	246,393 28
1901. Amount of requisitions.....	246,393 28	1901. Amount of appropriations.....	423,521 60
1902. Amount of requisitions.....	423,521 60	1902. Amount of appropriations.....	613,500 00
1903. Amount of requisitions.....	613,500 00		
Re-appropriation. No bonds to be issued.....	\$572,000 00		
	30,000 00	1903. Amount of appropriations.....	542,000 00
1904. Amount of requisitions.....	542,000 00	1904. Amount of appropriations.....	576,000 00
1905. Amount of requisitions.....	576,000 00	1905. Amount of appropriations.....	640,605 00
1906. Amount of requisitions.....	640,605 00	1906. Amount of appropriations.....	731,160 00
1907. Amount of requisitions.....	731,160 00	*1907. Amount of appropriations.....	853,167 00
Total amount of the requisitions made by the Board of Rapid Transit Railroad Commissioners from 1894 to 1907.....	\$4,934,294 19	Total amount of the appropriations made by the Board of Estimate and Apportionment from 1894 to 1907.....	\$4,934,294 19

* For the six months ending June 30, 1907.

XXXIII. RECAPITULATION — Continued.

b. GENERAL FUND, 1907-1910.

REQUISITIONS AND APPROPRIATIONS.

Total amount of requisitions made upon the Board of Estimate and Apportionment, viz.:		Total amount of appropriations made by the Board of Estimate and Apportionment, viz.:	
For the requirements of the Public Service Commission for the First District during the period of:		For the requirements of the Public Service Commission for the First District during the period of:	
*1907. Amount of requisitions.....	\$37,000 00	*1907. Amount of appropriations.....	\$37,000 00
1908. Amount of requisitions.....	\$1,095,000 00	1908. Amount of appropriations.....	1,000,000 00
Aggregate appropriation made by the Board of Estimate and Apportionment reduced to suffice the purposes of the original requisitions.....	95,000 00	1909. Amount of appropriations.....	1,137,500 00
1909. Amount of requisitions.....	1,000,000 00	1910. Amount of appropriations.....	1,113,274 00
†1910. Amount of requisitions.....	1,137,500 00		
	1,183,274 00		
Total amount of the requisitions made by the Public Service Commission for the First District for the period 1907-1910.....	\$3,357,774 00	Total amount of the appropriations made by the Board of Estimate and Apportionment for the period 1907-1910.....	\$3,287,774 00

* For the six months ending December 31, 1907.

† The requisition dated December 31, 1910 (\$70,000.00) remained unappropriated.

XXXIII. RECAPITULATION — Continued.

c. GENERAL FUND, 1894-1907.

DISBURSEMENTS.

YEAR	Administrative and general office	Engineering	Legal	Total
Total amount of disbursements made under the direction of the Board of Rapid Transit Railroad Commissioners during the period of:				
1894. Amount of disbursements	\$2,929 10	\$1,271 34	\$28 30	\$4,228 74
1895. Amount of disbursements	6,048 49	26,250 29	25,088 13	57,986 91
1896. Amount of disbursements	35,572 34	17,028 82	31,457 53	84,058 69
1897. Amount of disbursements	5,230 06	21,395 86	38,925 73	65,551 65
1898. Amount of disbursements	4,521 15	17,930 31	29,519 13	51,970 59
1899. Amount of disbursements	2,826 94	3,698 00	20,551 30	27,076 24
1900. Amount of disbursements	53,866 33	161,047 23	27,356 19	242,269 75
1901. Amount of disbursements	39,023 86	348,258 30	31,861 62	419,143 78
1902. Amount of disbursements	45,576 10	458,389 79	33,547 26	537,513 15
1903. Amount of disbursements	45,719 42	520,664 27	24,332 55	590,716 24
1904. Amount of disbursements	57,965 11	530,936 37	27,446 87	616,348 35
1905. Amount of disbursements	48,945 59	513,535 00	48,977 91	611,458 50
1906. Amount of disbursements	45,384 68	586,503 74	119,807 99	751,696 41
*1907. Amount of disbursements	68,798 39	300,244 99	91,691 17	460,734 55
	\$462,407 56	\$3,507,154 31	\$551,191 68	\$4,520,753 55
Total amount of the General Fund disbursements of the Board of Rapid Transit Railroad Commissioners from 1894 to 1907				

* For the six months ending June 30, 1907.

XXXIII. RECAPITULATION — Continued.
d. GENERAL FUND, 1907-1910.

DISBURSEMENTS.

YEAR	*The Commission	Executive Department	General Account	Secretary's Office	Legal Department	Bureau of Franchises	Bureau of Statistics and Accounts	Bureau of Gas and Electricity	Chief Engineer's Office	Bureau of Subway Construction	Transportation Department	Appraisal Department	For account of the Rapid Transit Commission	Total
Total amount of disbursements made under the direction of the Public Service Commission for the First District during the period of:														
†1907. Amount of disbursements.....	\$44,892 45	\$70,751 47			\$25,327 07		\$1,032 04	\$9,824 24	\$10,089 42	\$255,505 49	\$13,576 32		\$14,363 12	\$400,469 17
1908. Amount of disbursements.....	91,000 00	194,148 45			67,323 63	\$9,906 05	20,299 35	29,732 87	21,174 70	493,279 44	103,752 50	\$40,792 57	2,435 20	982,844 76
1909. Amount of disbursements.....	91,000 00	144,783 38			86,163 83	15,724 32	31,108 94	42,607 87	24,056 95	547,206 29	99,355 73	102,104 04		1,093,111 35
1910. Amount of disbursements.....	91,000 00	†	\$81,966 80	\$97,694 05	49,905 62	20,931 70	25,550 07	39,893 23	29,910 61	738,542 10	123,616 39			1,208,010 57
	\$317,892 45													
		\$409,683 30												
			\$81,966 80											
				\$97,694 05										
					\$228,720 15									
						\$46,562 07								
							\$77,990 40							
								\$122,058 21						
									\$85,231 68					
										\$2,034,553 32				
											\$340,300 94			
												\$142,896 61		
													\$16,798 32	
														\$3,084,435 85

Total amount of the General Fund disbursements of the Public Service Commission for the First District for the period 1907-1910.....

* Chargeable to the State Fund.
Account " and " Secretary's Office."

† Classified disbursements for the six months ending December 31, 1907.

‡ Disbursements segregated and applied to the accounts of " General

XXXIII. RECAPITULATION — *Continued.*

e. MANHATTAN-THE BRONX CONSTRUCTION FUNDS, 1894-1910.

REQUISITIONS AND APPROPRIATIONS.

Total amount of the requisitions made upon the Board of Estimate and Apportionment for the requirements of the Board of Rapid Transit Railroad Commissioners during the period:		Total amount of the appropriations made by the Board of Estimate and Apportionment for the requirements of the Board of Rapid Transit Railroad Commissioners during the period:	
1900.	Amount of the requisitions { Construction..... \$35,000 00 Terminals..... 1,000,000 00 Real estate..... 500,000 00		\$36,500,000 00
1901.	Amount of the requisitions.....	1900.	Amount of the appropriations.....
1902.	Amount of the requisitions.....	1901.	Amount of the appropriations.....
1903.	Amount of the requisitions, extra work.....	1902.	Amount of the appropriations.....
	Real estate..... \$1,500,000 00	1903.	Amount of the appropriations.....
1904.	Amount of the requisitions { Terminals..... 750,000 00 Extra work and for ducts..... 1,500,000 00		3,000,000 00
1905.	Amount of the requisitions.....	1904.	Amount of the appropriations.....
	Interest on corporate stock.....	1905.	Amount of the appropriations.....
1906.	Amount of the requisitions { Extra work, Van Cortlandt Park extension..... Extra work at R. T. station at 149th street and Third avenue, Borough of the Bronx..... \$15,000 00	1906.	Amount of the appropriations.....
	June 10, 1910 — Amount reduced to suffice the purposes of the original requisition..... 1,602 80		675,000 00
*1907.	{Amount of the requisitions { Interest on corporate stock..... \$13,397 20 729,773 63	1907.	Amount of the appropriations..... \$744,773 63 Rescindment—June 10, 1910. Amount determined in excess of the requirements of the original appropriation rescinded..... 1,602 80
Total	\$47,633,563 48	Total	743,170 83

XXXIII. RECAPITULATION — Continued.

c. MANHATTAN-THE BRONX CONSTRUCTION FUNDS, 1894-1910 — Concluded.]

REQUISITIONS AND APPROPRIATIONS — Concluded.

Total amount of the requisitions made upon the Board of Estimate and Apportionment for the requirements of the Public Service Commission for the First District during the period:		Total amount of the appropriations made by the Board of Estimate and Apportionment for the requirements of the Public Service Commission for the First District during the period:	
†1907. Amount of the requisitions	†1907. Amount of the appropriations.	†1907. Amount of the appropriations.	†1907. Amount of the appropriations.
Extra work—96th st. improvement..	\$850,000 00		
Extra work — outlet chambers, etc.....	600,000 00		
	\$1,450,000 00		\$1,450,000 00
Real estate—awards on the westerly side of 4th avenue, between 8th and 9th sts., Borough of Manhattan....			
Real estate—easements in Broadway at 233d st., Borough of the Bronx.....	\$500,000 00		
Construction—Park avenue deviation, Borough of Manhattan.....	6,000 00		
	204,825 18		
Extra work — additional station facilities at St. Nicholas avenue and 181st street, Borough of Manhattan.....		710,825 18	
Extra work—lengthening stations....	\$160,000 00		
Extra work — new railway station at 190th street and St. Nicholas avenue, Borough of Manhattan	1,150,000 00		
			710,825 18
1909. Amount of the requisitions		1908. Amount of the appropriations	

999. Amount of the requisitions	Extra work—con- struction of the Zoological Park Railway station at 181st street and Boston road, Bor- ough of the Bronx	\$31,000 00	\$1,691,000 00	†1909. Amount of the appropriations.	\$1,660,000 00
	Extra work—con- struction of ad- ditional station facilities including additional en- trances and exits to certain stations.	446,000 00			
1910. Amount of the requisitions	Extra work—pro- posed change of stairs to Times Square subway station.	12,000 00			
	Extra work—re- construction of the easterly end of the Brooklyn Bridge station, etc.	15,000 00			
Grand Total			473,000 00	†1910. Amount of the appropriations.	504,000 00
			\$51,958,388 66	Grand Total	\$51,958,388 66

* For the six months ending June 30, 1907.

† For the six months ending December 31, 1907.

‡ Appropriation for the construction of the Zoological Park station, authorized in the year 1910.

XXXIII. RECAPITULATION — Continued.

f. BROOKLYN-MANHATTAN CONSTRUCTION FUND, 1894-1910.

REQUISITIONS AND APPROPRIATIONS.

Total amount of the requisitions made upon the Board of Estimate and Apportionment for the requirements of the Board of Rapid Transit Railroad Commissioners during the period:		Total amount of the appropriations made by the Board of Estimate and Apportionment for the requirements of the Board of Rapid Transit Railroad Commissioners during the period:	
1902. Amount of the { requisitions { Terminals and real estate	\$2,000,000 00 1,000,000 00	1902. Amount of the appropriations	\$3,000,000 00
1903. Amount of the requisitions		1903. Amount of the appropriations	
1904. Amount of the requisitions		1904. Amount of the appropriations	
1905. Amount of the requisitions (extra work, four-tracking, etc.)	1,620,000 00	1905. Amount of the appropriations	1,620,000 00
1906. Amount of the requisitions		1906. Amount of the appropriations	
*1907. Amount of the requisitions		*1907. Amount of the appropriations	
Total	\$4,620,000 00	Total	\$4,620,000 00
Total amount of the requisitions made upon the Board of Estimate and Apportionment for the requirements of the Public Service Commission for the First District during the period:		Total amount of the appropriations made by the Board of Estimate and Apportionment for the requirements of the Public Service Commission for the First District during the period:	
†1907. Amount of the requisitions		†1907. Amount of the appropriations	\$100,000 00
1908. Amount of the requisitions, extra work, Bowling Green spur	\$100,000 00	Rescindment — June 10, 1910. Amount determined in excess of the requirements of the original appropriation rescinded	1,100 00
June 10, 1910. Amount reduced to suffice the purposes of the original requisition	1,100 00	1909. Amount of the appropriations	98,900 00
1909. Amount of the requisitions, extra work, lengthening stations		1910. Amount of the appropriations	350,000 00
91. Amount of the requisitions, extra work, construction of additional station facilities, including additional entrances and exits to certain stations			46,000 00
Extra work — Acquisition of a platform strip and the cost of work thereon, adjoining the platform of the Atlantic Avenue Subway Station	\$44,000 00		
	2,000 00		
Grand Total	\$5,114,900 00		\$5,114,900 00

* For the six months ending June 30, 1907. † For the six months ending December 31, 1907.

XXXIII. RECAPITULATION — Continued.
G. BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS) CONSTRUCTION FUNDS, 1907-1910.

REQUISITIONS AND APPROPRIATIONS.

Total amount of the requisitions made upon the Board of Estimate and Apportionment for the requirements of the Board of Rapid Transit Railroad Commissioners during the period of:	Total amount of appropriations made by the Board of Estimate and Apportionment for the purposes of the Board of Rapid Transit Railroad Commissioners during the period of:
*1907. Amount of requisition—Section 9-O-1—Construction (Centre street from Pearl street to Park Row).....	*1907. Amount of appropriation.....
*1907. Amount of requisition—Section 9-O-2—Construction (Centre street from Pearl street to Canal street).....	*1907. Amount of appropriation.....
*1907. Amount of requisition—Section 9-O-3—Construction (Centre street from Canal street to Broome street).....	*1907. Amount of appropriation.....
*1907. Amount of requisition—Section 9-O-4—Construction (New extension of Delancey street from Centre street to the Bowery).....	*1907. Amount of appropriations.....
*1907. Amount of requisition—Section 9-O-5—Construction (Delancey street between the Bowery and Norfolk street).....	
Total.....	Total.....
Total amount of the requisitions made upon the Board of Estimate and Apportionment for the requirements of the Public Service Commission for the First District during the period:	Total amount of the appropriations made by the Board of Estimate and Apportionment for the requirements of the Public Service Commission for the First District during the period:
*1907. Amount of the requisition — Real estate.....	*1907. Amount of appropriation.....
1908. Amount of the supplemental requisitions — Real estate, on account of the above, viz.:	
Section 9-O-2.....	
" 9-O-4.....	
" 9-O-2.....	
" 9-O-3.....	
" 9-O-2.....	
" 9-O-4.....	
A supplemental requisition on account of the above, viz.:	
Sections 9-O-1, 9-O-2, 9-O-3, 9-O-4, 9-O-5, (entire route) Real estate.....	
Section 9-O-1 Extra work—enlargement of the Chambers street station, Borough of Manhattan.....	
1909. [Amount of the requisitions,	1908. Amount of appropriation.....
1907. Amount of requisition—Section 9-O-1—Construction (Centre street from Pearl street to Park Row).....	
1907. Amount of requisition—Section 9-O-2—Construction (Centre street from Pearl street to Canal street).....	
1907. Amount of requisition—Section 9-O-3—Construction (Centre street from Canal street to Broome street).....	
1907. Amount of requisition—Section 9-O-4—Construction (New extension of Delancey street from Centre street to the Bowery).....	
1907. Amount of requisition—Section 9-O-5—Construction (Delancey street between the Bowery and Norfolk street).....	
Total.....	Total.....
Total amount of the requisitions made upon the Board of Estimate and Apportionment for the requirements of the Public Service Commission for the First District during the period:	Total amount of the appropriations made by the Board of Estimate and Apportionment for the requirements of the Public Service Commission for the First District during the period:
*1907. Amount of the requisition — Real estate.....	*1907. Amount of appropriation.....
1908. Amount of the supplemental requisitions — Real estate, on account of the above, viz.:	
Section 9-O-2.....	
" 9-O-4.....	
" 9-O-2.....	
" 9-O-3.....	
" 9-O-2.....	
" 9-O-4.....	
A supplemental requisition on account of the above, viz.:	
Sections 9-O-1, 9-O-2, 9-O-3, 9-O-4, 9-O-5, (entire route) Real estate.....	
Section 9-O-1 Extra work—enlargement of the Chambers street station, Borough of Manhattan.....	
1909. [Amount of the requisitions,	1908. Amount of appropriation.....

XXXIII. RECAPITULATION — Continued.

g. BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS) CONSTRUCTION FUNDS, 1907-1910 — Concluded.

REQUISITIONS AND APPROPRIATIONS — Concluded.

1900. Amount of the requisitions	Section 9-O-1 Extra work— increasing the strength of the subway structure.... A readjustment of the ap- propriations made for construction of the vari- ous sections for neces- sary changes during the progress of the work, viz.:		1909. Amount of appropriations.....	\$895,000 00
	Original appropriations	Readjustment		
	Sec. 9-O-1	\$1,878,828 00		
	" 9-O-2	3,035,000 00		
	" 9-O-3	3,014,418 00		
	" 9-O-4	2,210,000 00		
	" 9-O-5	1,547,342 00		
		1,693,943 00		
		1,298,436 00		
		<u>\$9,969,606 00</u>		
	Effecting no change in the aggregate amount of the original authorizations.	\$9,969,606 00		
	Supplemental requisitions made on account of the original, dated October 16, 1907, for \$1,000,000.00, viz.:			
	Real estate and interest therein.....	\$25,000 00		
	Real estate and interest therein (final).....	403,855 00		
	Total.....	<u>\$428,855 00</u>		
	Maintenance of the com- pleted portion of the sub- way.....	\$3,000 00		
	†Real estate and interest therein.....	1,850,000 00		
		<u>1,853,000 00</u>		
	Grand Total.....	<u>\$12,822,606 00</u>		
			1910. Amount of appropriations readjusted, viz.:	
			Section 9-O-1.....	Readjusted authorization
			" 9-O-2.....	\$2,047,668 00
			" 9-O-3.....	3,014,418 00
			" 9-O-4.....	2,053,141 00
			" 9-O-5.....	1,693,943 00
				<u>1,160,436 00</u>
				\$9,969,606 00
			Effecting no change in the aggregate amount of the original appropriations.	
			†Amount of appropriations.....	431,855 00
			Grand Total.....	<u>\$10,972,606 00</u>

*For the six months ending June 30, 1907. ** For the six months ending December 31, 1907. † Requisition of \$1,850,000.00 for Real Estate and Interest therein, remaining unappropriated.

XXXIII. RECAPITULATION — Continued.

h. BROOKLYN (FOURTH AVENUE) SUBWAY CONSTRUCTION FUNDS, 1908-1910.

REQUISITIONS AND APPROPRIATIONS.

Total amount of the requisitions made upon the Board of Estimate and Apportionment for the purposes of the Public Service Commission for the First District during the period of:		Total amount of appropriations made by the Board of Estimate and Apportionment for the purposes of the Public Service Commission for the First District during the period of:	
1908. Amount of the contract, Section M-B-Ex. 1 (under Flatbush avenue extension, from Nassau street to Willoughby street, Borough of Brooklyn, N. Y.)			
Railroad construction.....	\$1,020,476 55		
Pipe gallery construction.....	101,374 55		
Total contract.....	\$1,121,851 10		
Requisition, viz.: Amount necessary for the progress of the work:			
For railroad construction.....	\$200,000 00		
For pipe gallery construction.....	20,000 00		
		\$220,000 00	
Amount of the contract, Section 9-C-1 (under Flatbush avenue extension and Fulton street, from Willoughby street to Ashland place, Borough of Brooklyn, N. Y.)			
Railroad construction.....	\$3,436,019 00		
Pipe gallery construction.....	58,695 00		
Total contract.....	\$3,494,714 00		
Requisition, viz.: Amount necessary for the progress of the work:			
For railroad construction.....	\$500,000 00		
For pipe gallery construction.....	10,000 00		
		510,000 00	
Amount of the contract, Section 11-E-1 and 11-A-1 (under Ashland place and Fourth avenue, from Fulton street to Sackett street, Borough of Brooklyn, N. Y.)			
Railroad construction.....	\$3,392,091 50		
Pipe gallery construction.....	208,135 00		
Total contract.....	\$3,600,226 50		
Requisition, viz.: Amount necessary for the progress of the work:			
For railroad construction.....	\$500,000 00		
For pipe gallery construction.....	30,000 00		
		530,000 00	

XXXIII. RECAPITULATION — Continued.

h. BROOKLYN (FOURTH AVENUE) SUBWAY CONSTRUCTION FUNDS, 1908-1910 — Concluded.

REQUISITIONS AND APPROPRIATIONS — Concluded.

1908. Amount of the contract, Section 11-A-2 (under Fourth avenue from Sackett street to Tenth street, Borough of Brooklyn, N. Y.)	
Railroad construction.....	\$2,283,553 30
Pipe gallery construction.....	206,672 00
	<u>\$2,490,225 30</u>
Requisition, viz.: Amount necessary for the progress of the work:	
For railroad construction.....	\$500,000 00
For pipe gallery construction.....	30,000 00
	<u>\$530,000 00</u>
Amount of the contract, Section 11-A-3 (under Fourth avenue from Tenth street to Twenty-seventh street, Borough of Brooklyn, N. Y.)	
Railroad construction.....	\$1,945,640 50
Pipe gallery construction.....	251,076 00
	<u>\$2,196,716 50</u>
Requisition, viz.: Amount necessary for the progress of the work:	
For railroad construction.....	\$500,000 00
For pipe gallery construction.....	30,000 00
	<u>530,000 00</u>
Amount of the contract, Section 11-A-4 (under Fourth avenue from Twenty-seventh street to Forty-third street, Borough of Brooklyn, N. Y.)	
Railroad construction.....	\$2,808,982 80
Pipe gallery construction.....	173,665 00
	<u>\$2,982,647 80</u>
Requisition, viz.: Amount necessary for the progress of the work:	
For railroad construction.....	\$500,000 00
For pipe gallery construction.....	30,000 00
	<u>530,000 00</u>
Total.....	\$2,850,000 00
1908. Amount of appropriations.....	530,000 00

1909. Amount of the requisitions, viz.: Balance for the completion of the contract work:		
Section { For railroad construction.....	\$820,476 55	
M-B-Ex. 1 { For pipe gallery construction...	81,374 55	
	<u>\$901,851 10</u>	
Section { For railroad construction.....	\$2,936,019 00	
9-C-1 { For pipe gallery construction...	48,695 00	
	<u>\$2,984,714 00</u>	
Section { For railroad construction.....	\$2,892,091 50	
11-E-1 { For pipe gallery construction...	178,135 00	
& 11-A-1 {	<u>\$3,070,226 50</u>	
Section { For railroad construction.....	\$1,783,553 30	
11-A-2 { For pipe gallery construction...	176,672 00	
	<u>\$1,960,225 30</u>	
Section { For railroad construction.....	\$1,445,640 50	
11-A-3 { For pipe gallery construction...	221,076 00	
	<u>\$1,666,716 50</u>	
Section { For railroad construction.....	\$2,308,982 80	
11-A-4 { For pipe gallery construction...	143,665 00	
	<u>\$2,452,647 80</u>	
Total.....	\$13,036,381 20	
1910. Amount of { Real estate and interest therein (all sections).....	\$200,000 00	
the requisitions. { Extra work and materials (all sections).....	200,000 00	
Myrtle avenue modification, Section M-B-Ex. 1.	30,458 00	
Grand Total.....	<u>430,458 00</u>	
	\$16,316,839 20	

1909. Amount of appropriations, viz.:

Total amount necessary for the progress of the work..... \$2,850,000 00
Total amount for the completion of the work..... 13,036,381 20

Total..... \$15,886,381 20

1910. Amount of appropriations..... 275,958 00
Grand Total..... \$16,162,339 20

XXXIII. RECAPITULATION — *Continued.*

i. CORPORATE STOCK 1894-1910.

(1) MANHATTAN-THE BRONX CONSTRUCTION FUND.

Total amount of proceeds credited of the corporate stock issued by the City of New York for the construction of the Manhattan-The Bronx Rapid Transit Railroad during the period of:

	Corporate Stock.	Premium.	Proceeds.
1900.....	\$1,000,000 00	\$105,400 00	\$1,105,400 00
1901.....	11,000,000 00	635,361 46	11,635,361 46
1902.....	12,500,000 00	803,663 70	13,303,663 70
1903.....	11,865,000 00	237,487 72	12,102,487 72
1904.....	5,885,000 00	82,938 37	5,967,938 37
1905.....	2,300,000 00	16,391 10	2,316,391 10
1906.....	.....	.....	.....
*1907.....	.....	.....	.....
Total.....	\$44,550,000 00	\$1,881,242 35	\$46,431,242 35
†1907.....	683,000 00	.....	683,000 00
1908.....	968,722 38	18,140 48	986,862 86
1909.....	250,500 00	1,993 84	252,493 84
1910.....	1,104,200 00	12,279 17	1,116,479 17
	\$47,556,422 38	.....	.....
		\$1,913,655 84	.....
Grand total.....			\$49,470,078 22

* For the six months ended June 30, 1907.

† For the six months ended December 31, 1907.

XXXIII. RECAPITULATION — *Continued.*i. CORPORATE STOCK, 1894-1910 — *Continued.*

(2) BROOKLYN-MANHATTAN* CONSTRUCTION FUND.

Total amount of proceeds credited of the corporate stock issued by the City of New York for the construction of the Brooklyn-Manhattan Rapid Transit Railroad during the period of:

	Corporate Stock.	Premium.	Proceeds.
1903.....	\$301,000 00	\$715 29	\$301,715 29
1904.....	1,065,000 00	15,359 13	1,080,359 13
1905.....	200,000 00	1,425 32	201,425 32
1906.....	750,000 00	4,435 00	754,435 00
*1907.....	36,000 00	.....	36,000 00
Total.....	\$2,352,000 00	\$21,934 74	\$2,373,934 74
†1907.....	313,500 00	.....	313,500 00
1908.....	850,000 00	22,026 68	872,026 68
1909.....	98,900 00	1,167 61	100,067 61
1910.....	222,600 00	2,830 76	225,430 76
	\$3,837,000 00	.....	.....
		\$47,959 79	.....
Grand total.....			\$3,884,959 79

* For the six months ended June 30, 1907.

† For the six months ended December 31, 1907.

XXXIII. RECAPITULATION — *Continued.*i. CORPORATE STOCK, 1894-1910 — *Continued.*

(3) BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS) CONSTRUCTION FUNDS.

	Corporate Stock	Premium	Proceeds	Total
Total amount of proceeds credited of the corporate stock issued by the City of New York for the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections) during the period of:				
<i>Section 9-O-1</i>				
Centre street from Pearl street to Park row, Borough of Manhattan, New York City.				
*1907.....	\$46,000 00		\$46,000 00	
1908.....	170,000 00	\$5,190 18	175,190 18	
1909.....	80,000 00	585 12	80,585 12	
1910.....	85,600 00	626 08	86,226 08	
				\$388,001 38
<i>Section 9-O-2</i>				
Centre street from Pearl street to Canal street, Borough of Manhattan, New York City.				
*1907.....	163,000 00		\$163,000 00	
1908.....	1,275,602 80	42,558 09	1,318,160 89	
1909.....	810,000 00	7,092 19	817,092 19	
1910.....	379,000 00	2,772 03	381,772 03	
				2,680,025 11
<i>Section 9-O-3</i>				
Centre street from Canal street to Broome street, Borough of Manhattan, New York City.				
*1907.....	91,000 00		\$91,000 00	
1908.....	850,000 00	32,176 63	882,176 63	
1909.....	677,355 00	6,546 53	683,901 53	
1910.....	319,500 00	2,336 84	321,836 84	
				1,978,915 00
<i>Section 9-O-4</i>				
New extension of Delancey street from Centre street to the Bowery, Borough of Manhattan, New York City.				
*1907.....	15,000 00		\$15,000 00	
1908.....	399,000 00	14,194 32	413,194 32	
1909.....	703,000 00	6,039 01	715,039 01	
1910.....	310,000 00	2,267 34	312,267 34	
				1,455,500 67
<i>Section 9-O-5</i>				
Delancey street between the Bowery and Norfolk street, Borough of Manhattan, New York City.				
*1907.....	95,000 00		\$95,000 00	
1908.....	670,000 00	22,980 54	692,980 54	
1909.....	194,000 00	1,578 85	195,578 85	
1910.....				
				983,559 39
REAL ESTATE				
<i>Sections 9-O-1, 9-O-2, 9-O-3, 9-O-4, 9-O-5 (entire route).</i>				
Real estate and interest therein.				
*1907.....				
1908.....	255,145 00	6,812 79	\$261,957 79	
1909.....	144,000 00	43 89	144,043 89	
1910.....	23,460 00	46 81	23,506 81	
				429,508 49
Maintenance.				
*1907.....				
1908.....				
1909.....				
1910.....	900 00		\$900 00	
				900 00
Grand total.....	\$7,762,562 80	\$153,847 24		\$7,916,410 04

* For the six months ended December 31, 1907.

XXXIII. RECAPITULATION — *Continued.*c. CORPORATE STOCK, 1894-1910 — *Concluded.*

(4) BROOKLYN (FOURTH AVENUE) SUBWAY CONSTRUCTION FUNDS.

	Corporate stock	Premium	Proceeds	Total
Total amount of proceeds credited of the corporate stock issued by the City of New York for the construction of the Brooklyn (Fourth Avenue) Subway during the period of:				
<i>Section M-B-Ex.-1</i>				
Flatbush avenue extension from Nassau street to Willoughby street, Borough of Brooklyn, New York City.				
1909.....				
1910.....	\$255,000 00	\$3,242 74	\$258,242 74	\$258,242 74
<i>Section 9-C-1</i>				
Flatbush avenue extension and Fulton street from Willoughby street to Ashland place, Borough of Brooklyn, New York City.				
1909.....				
1910.....	\$536,000 00	\$6,059 49	\$542,059 49	\$542,059 49
<i>Section 11-E-1 and 11-A-1</i>				
Ashland place and Fourth avenue from Fulton street to Sackett street, Borough of Brooklyn, New York City.				
1909.....				
1910.....	\$476,500 00	\$5,881 44	\$482,381 44	\$482,381 44
<i>Section 11-A-2</i>				
Fourth avenue from Sackett street to Tenth street, Borough of Brooklyn, New York City.				
1909.....				
1910.....	\$647,300 00	\$8,214 97	\$655,514 97	\$655,514 97
<i>Section 11-A-3</i>				
Fourth avenue from Tenth street to Twenty-seventh street, Borough of Brooklyn, New York City.				
1909.....				
1910.....	\$726,500 00	\$9,238 67	\$735,738 67	\$735,738 67
<i>Section 11-A-4</i>				
Fourth avenue from Twenty-seventh street to Forty-second street, Borough of Brooklyn, New York City.				
1909.....				
1910.....	\$901,600 00	\$11,362 33	\$912,962 33	\$912,962 33
REAL ESTATE				
<i>Sections M-B-Ex.-1, 9-C-1, 11-E-1 and 11-A-1, 11-A-2, 11-A-3 and 11-A-4 (entire route).</i>				
Real estate and interest therein.				
1909.....				
1910.....	\$23,452 10	\$6 36	\$23,458 46	\$23,458 46
Extra work and materials:				
<i>Sections M-B-Ex.-1, 9-C-1, 11-E-1 and 11-A-1, 11-A-2, 11-A-3 and 11-A-4 (entire route).</i>				
1909.....				
1910.....	\$4,500 00		\$4,500 00	\$4,500 00
	\$3,570,852 10	\$44,006 00		\$3,614,858 10
Grand Total.....				

XXXIII. RECAPITULATION — Continued.

J. CONSTRUCTION FUNDS, 1894-1910.

DISBURSEMENTS.

(1) MANHATTAN-THE BRONX CONSTRUCTION FUND.

YEAR	Work and materials	Extra work and materials	Terminals	Real estate	Interest on corporate stock	Total
Total amount of disbursements made in the construction of the Manhattan-The Bronx Rapid Transit Railroad during the period:						
1900. Amount of disbursements.	\$1,685,000 00	.....	.....	.....	.....	\$1,685,000 00
1901. Amount of disbursements.	10,343,000 00	\$162,000 00	.....	\$9,515 45	\$165,013 90	10,679,529 35
1902. Amount of disbursements.	11,436,000 00	631,000 00	.....	141,391 72	547,031 41	12,755,423 13
1903. Amount of disbursements.	6,930,000 00	2,563,021 47	\$1,048,251 72	512,004 90	947,481 56	12,000,759 65
1904. Amount of disbursements.	3,220,000 00	932,304 61	.....	{ 863,195 62	1,305,865 78	7,023,114 29
1905. Amount of disbursements.	869,000 00	4,950 00	701,748 28	{ 163,622 76	729,092 68	1,766,665 44
1906. Amount of disbursements. ....	.....	6,000 00	.....	75,709 58	*	81,709 58
†1907. Amount of disbursements. ....	.....	759,211 96	.....	23,381 73	*	782,593 69
Total.	\$34,483,000 00	\$5,058,488 04	\$1,750,000 00	\$1,788,821 76	\$3,694,485 33	\$46,774,795 13
†1907. Amount of disbursements. ....	.....	482,225 47	.....	454 20	*	482,679 67
1908. Amount of disbursements. ....	.....	154,624 60	.....	546,296 15	*	905,745 93
1909. Amount of disbursements.	204,825 18	21,829 28	.....	10,775 31	*	222,104 59
1910. Amount of disbursements. ....	.....	1,233,033 27	.....	3,716 04	*	1,236,749 31
Grand Total.	\$34,687,825 18	\$7,139,700 66	\$1,750,000 00	\$2,350,063 46	\$3,694,485 33	\$49,622,074 63
Total amount of Manhattan-The Bronx construction fund disbursements from 1900 to 1910 inclusive.						

* The total amount of interest on the corporate stock issued, was applied to the "Rapid Transit Railroad, rental" account, Manhattan and The Bronx.

† For the six months ending June 30, 1907.

‡ For the six months ending December 31, 1907.

XXXIII. RECAPITULATION — *Continued.*j. CONSTRUCTION FUNDS, 1894-1910 — *Continued.*DISBURSEMENTS — *Continued.*

(2) BROOKLYN-MANHATTAN CONSTRUCTION FUND.

YEAR	Work and Materials	Extra work and materials	Real estate	Interest on corporate stock	Total
Total amount of disbursements made in the construction of the Brooklyn-Manhattan Rapid Transit Railroad during the period:					
1903. Amount of disbursements.....	\$202,457 06	.....	\$706 80	\$5 87	\$203,169 73
1904. Amount of disbursements.....	620,425 62	.....	1,200 00	20,196 40	641,822 02
1905. Amount of disbursements.....	491,504 53	.....	2,450 80	50,533 59	627,383 92
1906. Amount of disbursements.....	314,718 97	457,081 87	9,176 76	63,975 56	844,953 16
*1907. Amount of disbursements.....	80,058 02	235,805 73	15,283 89	41,778 75	372,926 39
Total.....	\$1,709,164 20	\$775,782 60	\$28,818 25	\$176,490 17	\$2,690,255 22
†1907. Amount of disbursements.....	32,609 15	156,768 05	2,030 96	42,516 53	233,924 69
1908. Amount of disbursements.....	112,135 27	589,319 76	51,645 37	129,037 50	882,137 90
1909. Amount of disbursements.....	.....	52,108 29	10,665 24	†.....	62,773 53
1910. Amount of disbursements.....	.....	295,108 45	750 00	†.....	295,918 45
Grand Total.....	\$1,853,908 62	\$1,869,147 15	\$93,909 82	\$348,044 20	
Total amount of Brooklyn-Manhattan construction fund disbursements from 1902 to 1910 inclusive.....					\$4,165,009 79

* For the six months ending June 30, 1907.

† For the six months ending December 31, 1907.

‡ The total amount of interest on the corporate stock issued, was applied to the "Rapid Transit Railroad rental" account, Brooklyn-Manhattan.

XXXII. RECAPITULATION — Continued.
 j. CONSTRUCTION FUNDS, 1894-1910 — Continued.
 DISBURSEMENTS — Continued.

(3) BROOKLYN-MANHATTAN LOOP LINES (MANHATTAN SECTIONS) CONSTRUCTION FUNDS.

YEAR	Work and materials	Pipe galleries	Extra work and materials	Real estate	Maintenance	Interest on corporate stock	Amount	Total
Total amount of disbursements made in the construction of the Brooklyn-Manhattan Loop Lines (Manhattan Sections) during the period of:								
Section 9-O-1 (Centre street from Pearl street to Park Row).								
†1907. Amount of disbursements.....	\$67,912 20	.....	.....	.....	.....	*	\$67,912 20	
1908. Amount of disbursements.....	139,653 44	.....	.....	.....	.....	*	139,653 44	
1909. Amount of disbursements.....	.....	.....	\$91,176 85	.....	.....	*	91,176 85	
1910. Amount of disbursements.....	.....	.....	88,998 71	.....	.....	*	88,998 71	\$387,741 20
Section 9-O-2 (Centre street from Pearl street to Canal street).								
†1907. Amount of disbursements.....	260,530 88	.....	.....	.....	.....	*	\$260,530 88	
1908. Amount of disbursements.....	1,214,552 29	.....	.....	.....	.....	*	1,214,552 29	
1909. Amount of disbursements.....	788,968 74	.....	27,181 70	.....	.....	*	816,150 44	
1910. Amount of disbursements.....	49,233 24	.....	337,472 61	.....	.....	*	386,705 85	2,677,939 46
Section 9-O-3 (Centre street from Canal street to Broome street).								
†1907. Amount of disbursements.....	132,586 65	.....	.....	.....	.....	*	\$132,586 65	
1908. Amount of disbursements.....	869,336 64	.....	.....	.....	.....	*	869,336 64	
1909. Amount of disbursements.....	624,817 75	.....	24,471 00	.....	.....	*	649,288 75	
1910. Amount of disbursements.....	230,562 12	.....	95,446 77	.....	.....	*	326,008 89	1,977,220 93

XXXIII. RECAPITULATION — *Continued.*
 j. CONSTRUCTION FUNDS, 1894-1910 — *Continued.*

DISBURSEMENTS — *Continued.*

(4) BROOKLYN (FOURTH AVENUE) SUBWAY CONSTRUCTION FUNDS.

YEAR	Work and materials	Pipe galleries	Extra work and materials	Real estate	Interest on corporate stock	Amount	Total
Total amount of disbursements made in the construction of the Brooklyn (Fourth Avenue) Subway during the period of:							
Section M-B-Ex. 1. (Flatbush avenue extension from Nassau street to Willoughby street, Borough of Brooklyn, New York City.)	.....	.....	.....	.....	*	.....	
1909. Amount of disbursements.	\$252,774 33	\$4,682 35			*	\$257,456 68	\$257,456 68
1910. Amount of disbursements.							
Section 9-C-1. (Flatbush avenue extension and Fulton street from Willoughby street to Ashland place, Borough of Brooklyn, New York City.)							
1909. Amount of disbursements.	617,408 55		10,350 00		*	\$627,758 55	627,758 55
1910. Amount of disbursements.							
Section 11-E-1 and 11-A-1. (Ashland place and Fourth avenue from Fulton street to Sackett street, Borough of Brooklyn, New York City.)							
1909. Amount of disbursements.	458,138 77	21,370 03			*	\$479,508 80	479,508 80
1910. Amount of disbursements.							
Section 11-A-2. (Fourth avenue from Sackett street to Tenth street, Borough of Brooklyn, New York City.)							
1909. Amount of disbursements.	653,958 36				*	\$653,958 36	653,958 36
1910. Amount of disbursements.							

Section 11-A-3. (Fourth avenue from Tenth street to Twenty-seventh street, Borough of Brooklyn, New York City.)						*	\$733,419 56
1909. Amount of disbursements.....	\$705,462 97	\$27,956 59	.....	.....	*	.....	
1910. Amount of disbursements.....			.....	.....	*	.....	
							\$733,419 56
Section 11-A-4. (Fourth avenue from Twenty-seventh street to Forty-second street, Borough of Brooklyn, New York City.)						*	
1909. Amount of disbursements.....		.....	.....	.....	*	.....	
1910. Amount of disbursements.....	910,319 40	.....	.....	.....	*	.....	
							\$910,319 40
REAL ESTATE AND INTEREST THEREIN.							
Sectons M-B-Ex 1, 9-C-1, 11-E-1 and 11-A-1, 11-A-2, 11-A-3 and 11-A-4. (Entire route.)							
1909. Amount of disbursements.....	.....	.....	.....	.....	*	.....	
†1910. Amount of disbursements.....	.....	.....	.....	.....	*	.....	
							\$225,269 90
Grand Total.....	\$3,598,062 38	\$54,008 97	\$10,350 00	\$225,269 90		.....	
Total amount of the Brooklyn (Fourth Avenue) Subway Construction Fund disbursements for the period 1909–1910.....							\$3,887,691 25

* Amount in interest paid on the corporate stock issued to the Brooklyn (Fourth Avenue) Subway Construction Fund account.

and the City of New York, the Construction Fund account.

Under the title of the leasehold interest in the spur connection with the approaches thereto, constructed as a part of the Brooklyn-Manhattan Rapid Transit Railroad under Flatbush avenue between Schermerhorn street and Fourth avenue, in the Borough of Brooklyn, to be acquired from the Interborough Rapid Transit Company *et al.* for a consideration of \$200,000.00 held in abeyance to December 31, 1910, by the City Comptroller.

XXXIII. RECAPITULATION — Continued.

k. GENERAL FUND OF THE STATE OF NEW YORK.

(1) TRUST FUNDS ACCOUNT, 1907-1910.

(a) FUNDS COLLECTED AND PAID INTO THE STATE TREASURY.

	Forfeiture penalties account	Total
Total amount collected by the Public Service Commission for the First District, and paid into the State Treasury to the credit of the General Fund during the period of:		
1907. Amount collected.....	.....	.....
1908. Amount collected.....	.....	.....
1909. Amount collected.....	.....	.....
1910. Amount collected.....	.....	.....
	\$37 50	\$37 50
		
	\$37 50	\$37 50
Total amount paid into the State Treasury, 1907-1910.....		\$37 50

k. GENERAL FUND OF THE CITY OF NEW YORK.

(1) TRUST FUNDS ACCOUNT, 1907-1910.

(a) FUNDS COLLECTED AND PAID INTO THE CITY TREASURY.

	Miscellaneous supplies account	Gas meter account	Electric meter account	Official fees account	Total
Total amount collected by the Public Service Commission for the First District, and paid into the City Treasury to the credit of the General Fund during the period of:					
1907. Amount collected.....	.....	.....	.....	.....	.....
1908. Amount collected.....	.....	.....	.....	.....	.....
1909. Amount collected.....	.....	.....	.....	.....	.....
1910. Amount collected.....	.....	.....	.....	.....	.....
	\$494 90	\$494 90	\$738 00	\$17 25	\$991 90
	1,091 52	4,131 80	1,857 50	650 25	5,978 57
	711 40	2,218 70	1,449 50	34 10	5,437 85
	4,726 40	2,160 75			8,370 75
	\$7,026 32	\$9,006 15	\$4,045 00	\$701 60	
Total amount paid into the City Treasury, 1907-1910.....					\$20,779 07

XXXIII. RECAPITULATION — *Concluded.*
I. SUMMARY OF DISBURSEMENTS.

1894-1910.

	STATE FUND	SPECIAL REVENUE BOND FUND	CORPORATE STOCK FUND				Total
			Manhattan- The Bronx Construction Fund dis- bursements	Brooklyn- Manhattan Construction Fund dis- bursements	Brooklyn- Manhattan Loop Lines (Manhattan Sections) Construction Funds dis- bursements	Brooklyn (Fourth Avenue) Subway Construction Funds dis- bursements	
Total amount disbursed by the Board of Rapid Transit Railroad Commissioners from June 18, 1894, to June 30, 1907.....	Compensation of the Com- missioners, Counsel and Secretary	General Fund disburse- ments	\$46,774,795 13	\$2,690,255 22	.....	.....	\$53,985,803 90
Total amount disbursed by the Public Service Commission for the First District, New York, from July 1, 1907, to December 31, 1910.....	\$317,892 45 \$317,892 45	3,084,435 85 \$8,205,189 40	2,847,279 50 \$49,622,074 63	1,474,754 57 \$4,165,009 79	\$8,064,611 67 \$8,064,611 67	\$3,887,691 25 \$3,887,691 25	20,276,665 29 \$74,262,469 19
Grand Total							

Respectfully submitted,
H. A. D. HOLLMANN,
Auditor.

INDEX TO SENATE DOCUMENTS, 1911.

	Doc. No.
A.	
Accidents, industrial, report of Employers' Liability Commission on..	48
Appointments, Senate, list.....	22
Architect, State, annual report.....	38
Attorney-General, annual report.....	9
B.	
Banks, Superintendent of	
annual report relative to savings banks, trust companies, etc.....	18
annual report relative to savings and loan associations.....	19
report on banks of deposit and discount.....	17
report, reply to resolution.....	54
Barge Canal Terminal Commission, final report.....	30
Bedford, New York State Reformatory for Women, annual report.....	23
Bills, Senate, supplemental index.....	64
Boards, commissions and departments, <i>see specific names of.</i>	
Buffalo, Charity Organization Society, annual report.....	24
C.	
Canal Board, reply to resolution of the Senate.....	31
Champlain, Tercentenary Commission, final report.....	65
Charities, State Board of, annual report.....	41
Charity Organization Society of Buffalo, annual report.....	24
Clinton papers index.....	11
Commissions and departments, <i>see specific names of.</i>	
Committees, Senate, list 1911.....	3
revised list 1911	6
list 1911-12	21
Commutations granted by Governor, statement of.....	27,28
Congress, bills pending in, message from Governor relative to.....	34
D.	
Delaware river, toll bridges across, communication from Superintendent of Public Works relative to.....	26
Departments, financial administration, report of committee.....	36
Departments, <i>see also specific names of.</i>	
Direct nominations bill, message from the Governor relative to.....	58
E.	
Employers' Liability Commission, second report, on causes of industrial accidents	48
third report, on unemployed and lack of farm labor.....	49
fourth report, review of decision of Court of Appeals.....	50
Excise, State Commissioner of, annual report.....	12
F.	
Farm labor, report of Employers' Liability Commission on.....	49
Financial administration of State institutions and departments, report of joint committee to inquire into methods of.....	36

G.

Gansevoort papers, report of State Historian.....	52
Governor	
annual message	2
message relative to bills pending in Congress.....	34
message relative to enacting a direct nominations bill.....	58
statement of commutations and reprieves granted by.....	28
statement of pardons and commutations granted by.....	27
Grand Army of the Republic, New York, 45th annual encampment....	63

H.

Health, State Department, annual report.....	40
Highway Commission, annual report.....	29
Historian, State, annual report, Clinton papers index	11
report, Gansevoort papers	52
report, Johnson papers	51
preliminary report of James A. Holden	46
special report of Victor Hugo Paltsits.....	61
Hudson, New York State Training School for Girls, annual report.....	35

I.

Industrial accidents, report of Employers' Liability Commission on....	48
Institutions, financial administration, report of joint committee on methods of	36
Insurance, Superintendent of, annual report.....	20
Iroquois, Thomas Indian School, annual report.....	15

J.

Johnson papers, report of State Historian.....	51
--	----

L.

Lake Champlain Tercenary Commission, final report.....	65
Letchworth Village Commission, annual report.....	8
Library, State, report	47
Lunacy, State Commission in, special report relative to investigations..	4

M.

Members of the Senate 1911, list.....	1
1911-12, list	21
Museum, State, report.....	55

N.

New York Board of Trade and Transportation, preamble and resolution	32
New York city, proposed charter	
amendments to	56
protest of a committee of the Board of Estimate against the passage of	60
report of joint committee appointed to examine.....	33
New York Hospital, Society of the, annual report.....	42
New York Society for the Prevention of Cruelty to Children, annual report	43
New York State Hospital for Crippled and Deformed Children, annual report	13
New York State Hospital for Treatment of Incipient Pulmonary Tuber- culosis, annual report	14
New York State Reformatory for Women at Bedford, annual report....	23
New York State Training School for Boys, report of Commission to select a site for.....	53
New York State Training School for Girls, Hudson, annual report.....	35
Niagara river, hydraulic power, message from Governor relating to bill pending in Congress.....	34

	Doc. No.
O. Oxford, Woman's Relief Corps Home, annual report.....	7

P.

Pardons granted by Governor, statement of.....	27
Prison Association of New York, annual report.....	37
Prison Commission, annual report.....	44
Prisons, New, Commission on, annual report.....	45
Prisons, State, Superintendent of, annual report.....	39
Public Service Commission for the First District, report.....	10
Public Works, Superintendent of, communication relative to toll bridges across Delaware river.....	26
reply to resolution of the Senate relative to dam at Waterford....	62

R.

Reprieves granted by Governor, statement of.....	28
Rules of the Senate.....	25

S.

St. Lawrence river, hydraulic power, message from Governor relating to bill pending in Congress.....	34
Savings and loan associations, report of Superintendent of Banks relative to	19
Savings banks, report of Superintendent of Banks relative to.....	18
Senate, appointments, list	22
bills, supplemental index	64
committees 1911, list	3
revised list	6
committees 1911-12, list	21
list of members 1911	1
list of members 1911-12	21
rules	25
Standing committees, <i>see</i> Committees.	
State boards, commissions and departments, <i>see specific names of</i> .	
State institutions and departments, financial administration, report of joint committee to inquire into methods of.....	36
Statutory record of the special, private and local statutes of the State of New York, report.....	57

T.

Thomas Indian School, annual report.....	15
Toll bridges across Delaware river, communication from Superintendent of Public Works relative to.....	26
Treasurer, State, annual report.....	5
Trust companies, report of Superintendent of Banks relative to.....	18

U.

Unemployed, report of Employers' Liability Commission on.....	49
U. S. Volunteer Life Saving Corps, annual report.....	59

W.

Waterford, dam at, reply of Superintendent of Public Works to resolu- tion of Senate relative to.....	62
Weights and Measures, Superintendent of, annual report.....	16
Woman's Relief Corps Home, Oxford, annual report.....	7



3 0112 073272327